

RESOLUTION NO. 2016- 6

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR SEWER SERVICE TO SERVE ENCLAVE AT PALM VALLEY AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE UTILITY LINES.**

**RECITALS**

**WHEREAS**, Alsop Companies, 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 sewer service to serve Enclave at Palm Valley subdivision; and

**WHEREAS**, Alsop Companies, LLC 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 that have been installed in the right-of-way of Sanctuary Estates Lane formerly known as Enclave Court; 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.

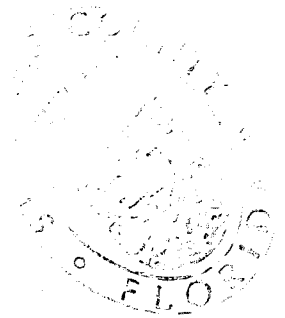
**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

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 23<sup>rd</sup> day of September, 2015  
by Alsop Companies, LLC, with an address of  
77 Almeria Street, St. Augustine, FL 32084, 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 sewer force mains and all other equipment and appurtenances as may be necessary or convenient for the operation of the 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 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) 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:

Witness

Jesse Killebrew  
Print Name

[Signature]  
Witness

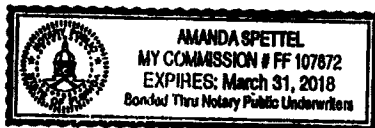
Amanda Spettel  
Print Name

By: [Signature]  
Its: Munroe

State of FL  
County of St John

The foregoing instrument was acknowledged before me this 23 day of  
September, 2015, by Andrew Norgart  
who is personally known to me or has produced \_\_\_\_\_ as  
identification.

[Signature]  
Notary Public



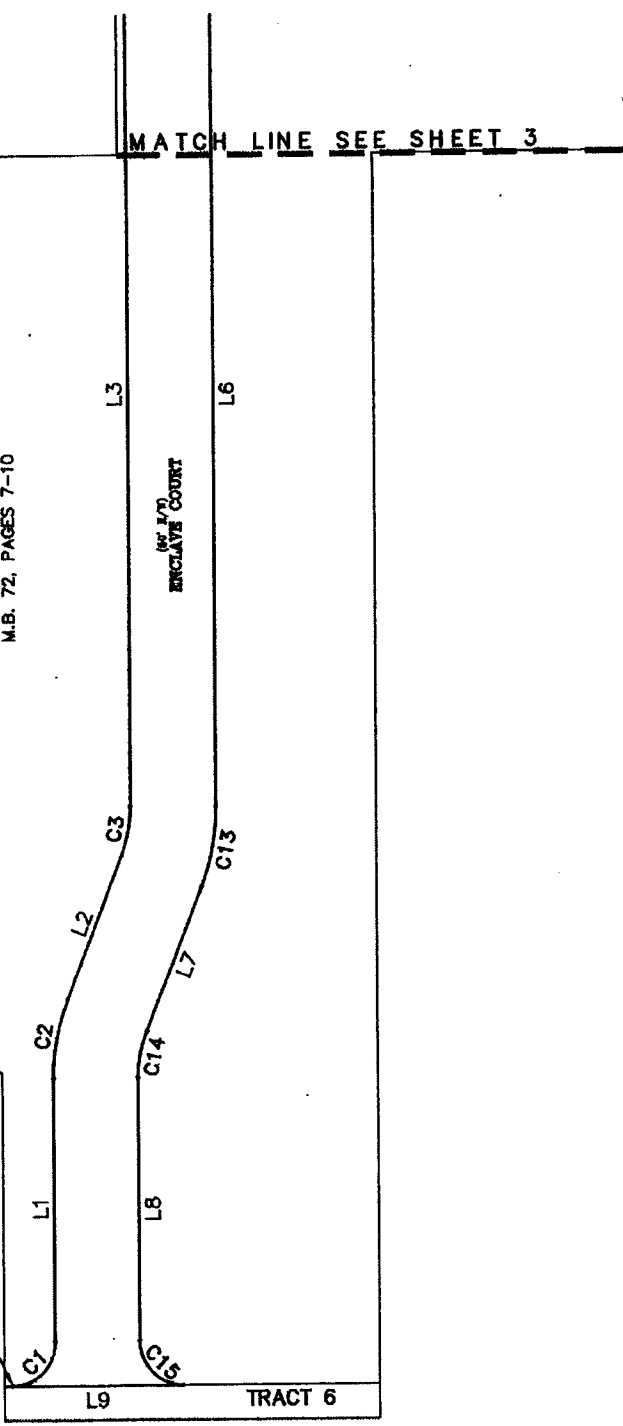
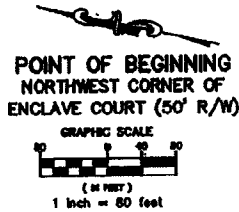


THIS IS NOT A SURVEY

MATCH LINE SEE SHEET 3

ENCLAVE AT PALM VALLEY  
M.B. 72, PAGES 7-10

ENCLAVE COURT  
(40' R/W)



F:\P13\ALSO COMPANIES 082-13-001 Sketch & Legal\082-13-001 Enclave at Palm Valley SKETCH-DESC.dwg

NOTE:  
THIS SKETCH AND LEGAL DESCRIPTION CONSISTS OF FOUR (4) SHEETS AND IS NOT FULL AND/OR COMPLETE WITHOUT ALL FOUR (4) SHEETS.

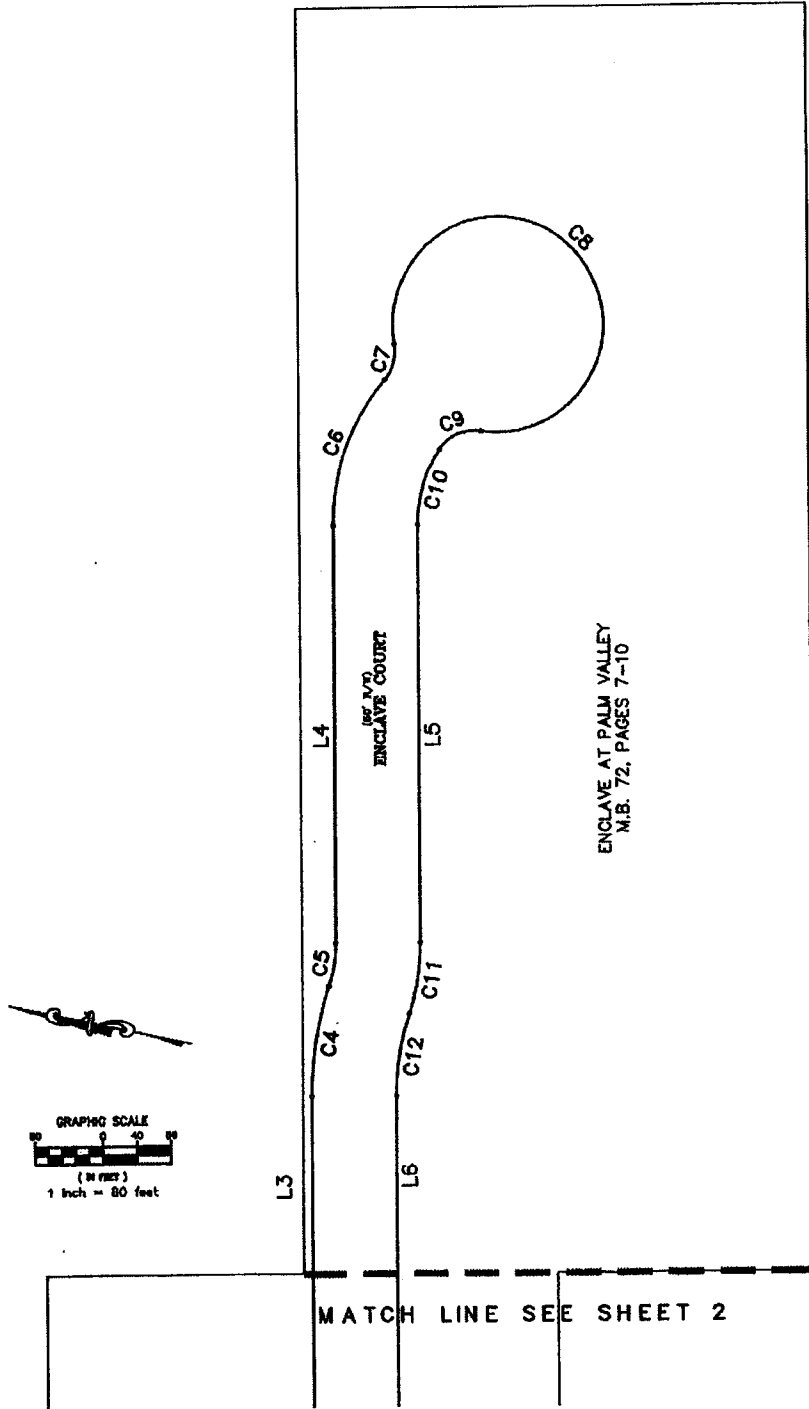
ALSO COMPANIES

ENCLAVE AT PALM VALLEY - ENCLAVE COURT

**BARTRAM TRAIL SURVEYING, INC.**  
 LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS  
 1501 COUNTY ROAD 515, SUITE 106  
 GREEN COVE SPRINGS, FL 32049  
 (904) 264-2224 FAX (904) 264-2258  
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ENCLAVE AT PALM VALLEY  
M.B. 72, PAGES 7-10

MATCH LINE SEE SHEET 2

F:\LP15\ALSO COMPANIES 892-13-001\Sketch & Legal\892-13-001 Enclave at Palm Valley SKETCH-DESC.dwg

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ALSO COMPANIES

ENCLAVE AT PALM VALLEY - ENCLAVE COURT

**BARTRAM TRAIL SURVEYING, INC.**

LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS

1501 COUNTY ROAD 315, SUITE 108  
GREEN COVE SPRINGS, FL 32043  
(904) 284-2224 FAX (904) 284-2258

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**THIS IS NOT A SURVEY**

Line Table		
Line #	Length	Bearing
L1	151.52'	N78°05'40"E
L2	88.29'	S80°21'38"E
L3	475.54'	N78°05'40"E
L4	240.65'	N78°07'11"E
L5	240.65'	S78°07'11"W
L6	475.54'	S78°05'40"W
L7	88.29'	N80°21'38"W
L8	151.45'	S78°05'40"W
L9	100.00'	N11°55'34"W

Curve Table					
Curve #	Radius	Delta	Arc	Chord	Bearing
C1	25.00'	89°58'46"	39.28'	35.35'	S56°54'57"E
C2	125.00'	21°32'42"	47.00'	46.73'	N88°52'01"E
C3	75.00'	21°32'42"	28.20'	28.04'	N86°52'01"E
C4	195.00'	18°54'17"	64.34'	64.05'	N87°32'49"E
C5	75.00'	18°52'47"	24.71'	24.60'	N87°33'34"E
C6	125.00'	41°17'36"	90.09'	88.15'	S81°14'01"E
C7	25.00'	51°14'34"	22.36'	21.82'	S85°12'30"E
C8	82.00'	289°23'48"	313.16'	71.66'	S32°52'06"W
C9	25.00'	65°06'56"	28.41'	26.91'	N34°59'28"W
C10	75.00'	34°19'53"	44.94'	44.27'	N84°42'53"W
C11	195.00'	18°52'47"	41.19'	41.00'	S87°33'34"W
C12	145.00'	18°54'17"	47.84'	47.63'	S87°32'49"W
C13	125.00'	21°32'42"	47.00'	46.73'	S88°52'01"W
C14	75.00'	21°32'42"	28.20'	28.04'	S86°52'01"W
C15	25.00'	90°01'14"	39.28'	35.35'	S33°05'03"W

**LEGAL DESCRIPTION:** Enclave at Palm Valley - Enclave Court

A tract of land being Enclave Court, according to the plat of Enclave Court at Palm Valley, as recorded in Map Book 72, Pages 7-10 of the Public Records of St. Johns County, Florida and lying within the Thomas Fitch Grant, Section 40, Township 4 South, Range 29 East and being more particularly described as follows:

BEGIN at the Northwest corner of the right-of-way of Enclave Court (a 50-foot right-of-way, as it is now established), said point being one the East line of Tract 6, according to said plat and the point of curvature of a curve concave to the Northeast; thence southeasterly along the arc of said curve, having a radius of 25.00 feet, a central angle of 89°58'46", an arc length of 39.28 feet and a chord bearing S56°54'57"E, for 35.35 feet to the point of tangency; thence N78°05'40"E, for 151.52 feet to the point of curvature of a curve concave to the Southwest; thence northeasterly along the arc of said curve, having a radius of 125.00 feet, a central angle of 21°32'42", an arc length of 47.00 feet and a chord bearing N88°52'01"E, for 46.73 feet to the point of tangency; thence S80°21'38"E, for 88.29 feet to the point of curvature of a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius of 75.00 feet, a central angle of 21°32'42", an arc length of 28.20 feet and a chord bearing N88°52'01"E, for 28.04 feet to the point of tangency; thence N78°05'40"E, for 475.54 feet to the point of curvature of a curve concave to the Southwest; thence northeasterly along the arc of said curve, having a radius of 195.00 feet, a central angle of 18°54'17", an arc length of 64.34 feet and a chord bearing N87°32'49"E, for 64.05 feet to the point of tangency; thence N78°07'11"E, for 240.65 feet to the point of curvature of a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius of 75.00 feet, a central angle of 18°52'47", an arc length of 24.71 feet and a chord bearing N87°33'34"E, for 24.60 feet to the point of tangency; thence N78°05'40"E, for 475.54 feet to the point of curvature of a curve concave to the Southwest; thence northeasterly along the arc of said curve, having a radius of 125.00 feet, a central angle of 41°17'36", an arc length of 90.09 feet and a chord bearing S81°14'01"E, for 88.15 feet to the point of reverse curvature of a curve concave to the Northeast; thence southeasterly along the arc of said curve, having a radius of 25.00 feet, a central angle of 51°14'34", an arc length of 22.36 feet and a chord bearing S85°12'30"E, for 21.82 feet to the point of reverse curvature of a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 82.00 feet, a central angle of 289°23'48", an arc length of 313.16 feet and a chord bearing S32°52'06"W, for 71.66 feet to the point of reverse curvature of a curve concave to the Southwest; thence northwesterly along the arc of said curve, having a radius of 25.00 feet, a central angle of 65°06'56", an arc length of 28.41 feet and a chord bearing N34°59'28"W, for 26.91 feet to the point of compound curvature of a curve concave to the Southwest; thence northwesterly along the arc of said curve, having a radius of 75.00 feet, a central angle of 34°19'53", an arc length of 44.94 feet and a chord bearing N84°42'53"W, for 44.27 feet to the point of tangency; thence S78°07'11"W, for 240.65 feet to the point of curvature of a curve concave to the Northwest; thence southwesterly along the arc of said curve, having a radius of 125.00 feet, a central angle of 18°52'47", an arc length of 41.19 feet and a chord bearing S87°33'34"W, for 41.00 feet to the point of reverse curvature of a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 145.00 feet, a central angle of 18°54'17", an arc length of 47.84 feet and a chord bearing S87°32'49"W, for 47.63 feet to the point of tangency; thence S78°05'40"W, for 475.54 feet to the point of curvature of a curve concave to the Northwest; thence southwesterly along the arc of said curve, having a radius of 125.00 feet, a central angle of 21°32'42", an arc length of 47.00 feet and a chord bearing S88°52'01"W, for 46.73 feet to the point of tangency; thence N80°21'38"W, for 88.29 feet to the point of curvature of a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 75.00 feet, a central angle of 21°32'42", an arc length of 28.20 feet and a chord bearing S86°52'01"W, for 28.04 feet to the point of tangency; thence S78°05'40"W, for 151.45 feet to the point of curvature of a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 25.00 feet, a central angle of 90°01'14", an arc length of 39.28 feet and a chord bearing S33°05'03"W, for 35.35 feet to the point of intersection with aforesaid East line of Tract 6; thence N11°55'34"W, along said East line, for 100.00 feet to the POINT OF BEGINNING of the Parcel herein described.

Containing 1.69 acres, more or less.

Said lands situated, lying and being in St. Johns County, Florida.

**NOTE:**

THIS SKETCH AND LEGAL DESCRIPTION CONSISTS OF FOUR (4) SHEETS AND IS NOT FULL AND/OR COMPLETE WITHOUT ALL FOUR (4) SHEETS.

**ALSO COMPANIES**

**ENCLAVE AT PALM VALLEY - ENCLAVE COURT**

**BARTRAM TRAIL SURVEYING, INC.**

LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS

1501 COUNTY ROAD 816, SUITE 106

GREEN COVE SPRINGS, FL 32043

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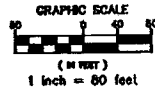
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MATCH LINE SEE SHEET 3

ENCLAVE AT PALM VALLEY  
M.B. 72, PAGES 7-10

(50' R/W)  
ENCLAVE COURT

POINT OF BEGINNING  
NORTHWEST CORNER OF  
ENCLAVE COURT (50' R/W)



F:\PI\ALSO COMPANIES 892-13-001\Sketch & Legal\892-13-001 Enclave of Palm Valley SKETCH-DESC.dwg

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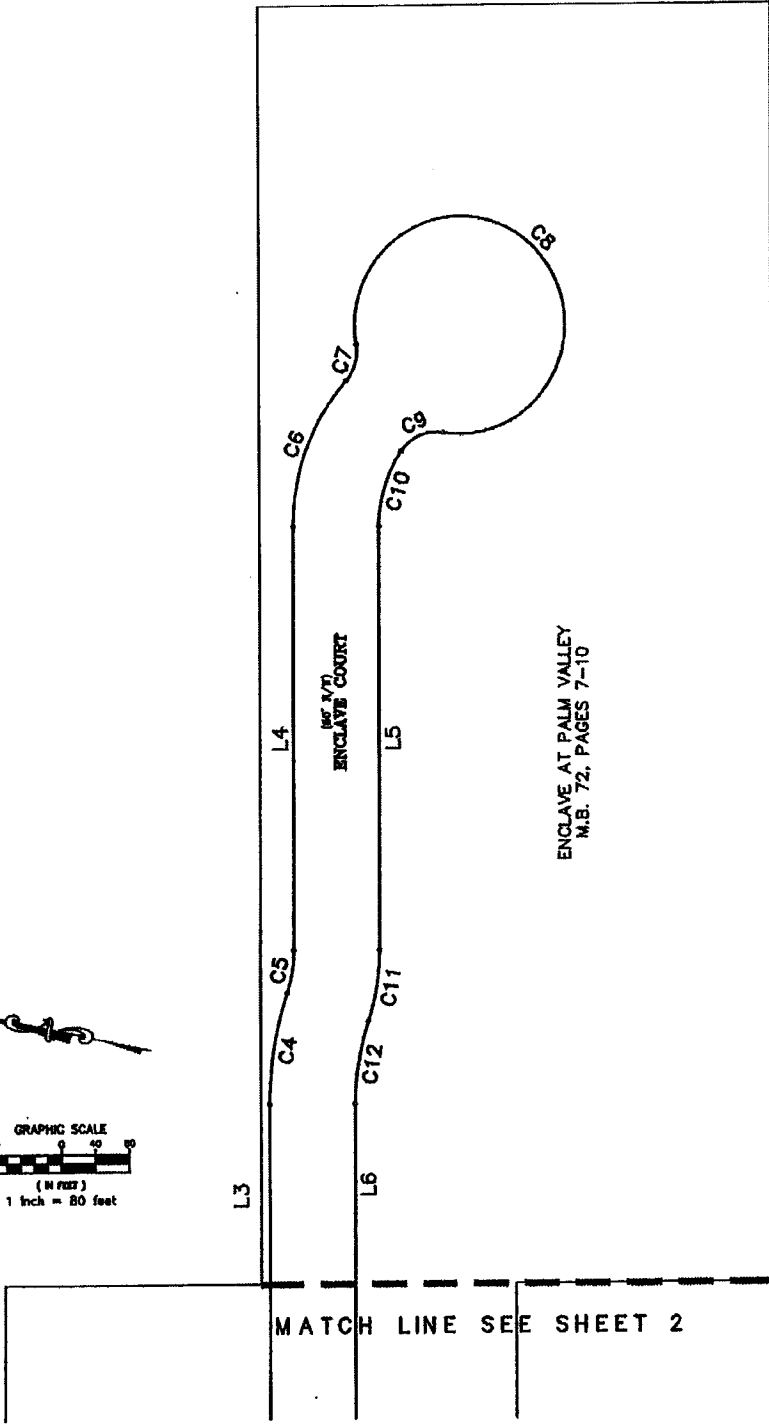
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ALSOP COMPANIES

ENCLAVE AT PALM VALLEY - ENCLAVE COURT

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LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS

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Containing 1.89 acres, more or less.

Said lands situated, lying and being in St. Johns County, Florida.

**NOTE:**

THIS SKETCH AND LEGAL DESCRIPTION CONSISTS OF FOUR (4) SHEETS AND IS NOT FULL AND/OR COMPLETE WITHOUT ALL FOUR (4) SHEETS.

**ALSOP COMPANIES**

**ENCLAVE AT PALM VALLEY - ENCLAVE COURT**

**BARTRAM TRAIL SURVEYING, INC.**

LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS  
 1501 COUNTY ROAD 815, SUITE 108  
 GREEN COVE SPRINGS, FL 32043  
 (904) 284-2224 FAX (904) 284-2258  
 COPYRIGHT © 2015



F:\P13\ALSOP COMPANIES 892-13-001\Sketch & Legal\892-13-001 Enclave at Palm Valley SKETCH-DESC.dwg



**BILL OF SALE**  
**UTILITY IMPROVEMENTS**  
for

OFF-SITE 6" : ON-SITE 2"  
F.M. ONLY

**Enclave at Palm Valley**

Also Companies, LLC, 77 Almeria Street, St. Augustine, FL 32084, (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 attached 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 15<sup>th</sup> of September, 2015

**WITNESS:**

**OWNER:**

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Owner's Signature

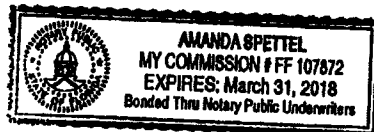
Jesse Killebran  
Print Witness Name

Andrew T. Norgart  
Print Owner's Name

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me this 15 day of September, 2015, by Andrew Norgart who is personally known to me or has produced \_\_\_\_\_ as identification.

Amanda Spettel  
Notary Public





**St. Johns County Utility Department**  
**Asset Management**  
 Exhibit A - Schedule of Values

Project Name:	<u>The Enclave at Palm Valley</u>
Contractor:	<u>Jax Utilities Management, Inc.</u>
Developer:	<u>The Alsop Companies, LLC</u>

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Force Mains (Size, Type &amp; Pipe Class)</b>				
6" DR 11 HDPE	LF	2133	\$ 56.00	\$ 119,448.00
2" DR 11 HDPE	LF	780	\$ 9.00	\$ 7,020.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Sewer Valves (Size and Type)</b>				
6" Gate Valve	Ea	3	\$ 1,473.00	\$ 4,419.00
2" Gate Valve	Ea	1	\$ 500.00	\$ 500.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Gravity Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Laterals (Size and Type)</b>				
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
<b>Manholes (Size and Type)</b>				
4-6 foot deep	EA		\$ -	\$ -
6-8 foot deep	EA		\$ -	\$ -
8-10 foot deep	EA		\$ -	\$ -
10-12 foot deep	EA		\$ -	\$ -
> 12 foot deep	EA		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Lift Station</b>				
Mechanical Equipment	Lump Sum		\$ -	\$ -
Process Piping	Lump Sum		\$ -	\$ -
Process Structure	Lump Sum		\$ -	\$ -
Process Electrical Equipment	Lump Sum		\$ -	\$ -
Other Improvements	Lump Sum		\$ -	\$ -
<b>Total Sewer System Cost</b>				<b>\$ 131,387.00</b>

Exhibit "A"



**St. Johns County Board of County Commissioners**

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Utility Department

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**INTEROFFICE MEMORANDUM**

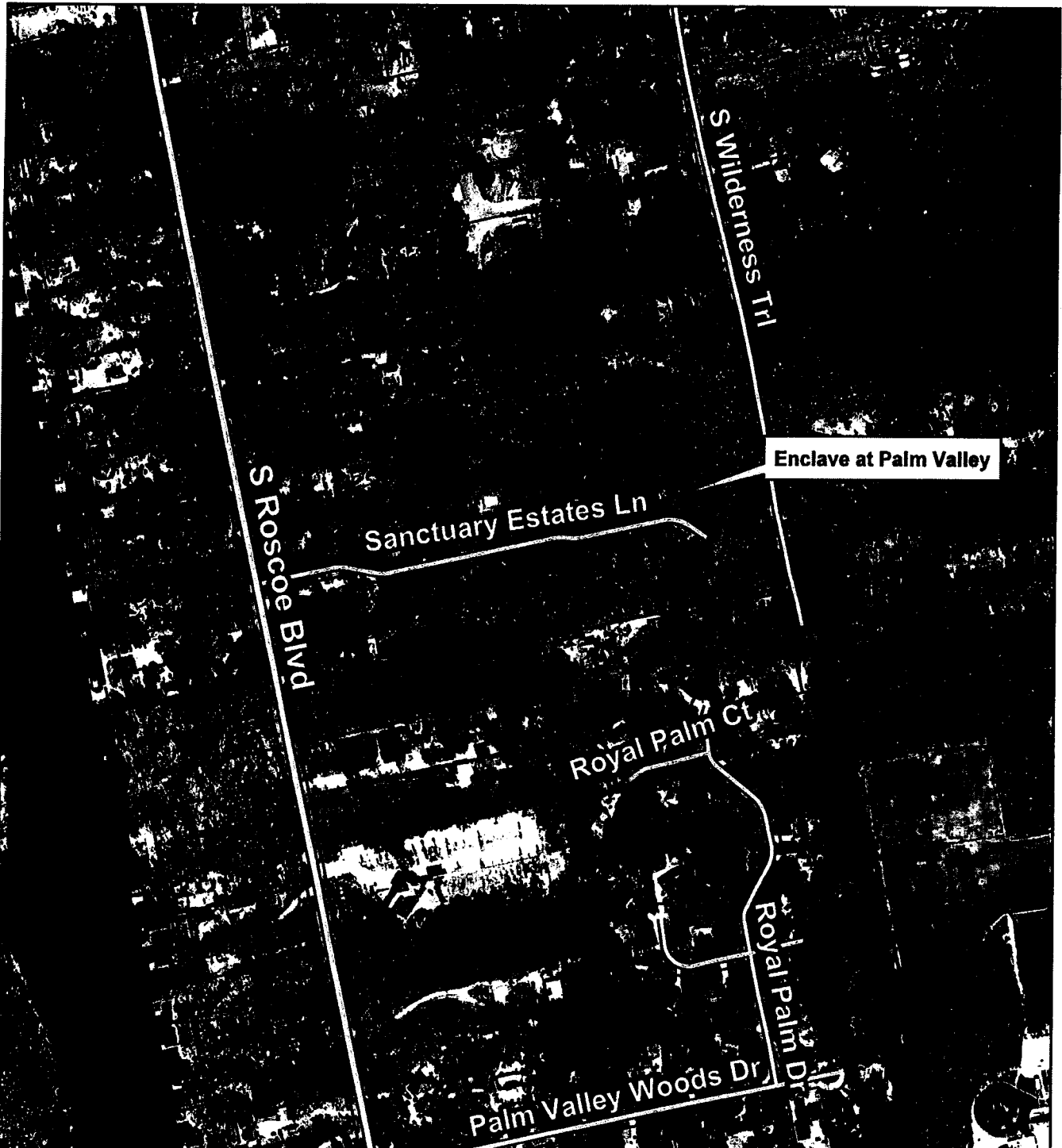
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**TO:** Nanette Bradbury, Real Estate Coordinator  
**FROM:** Melissa Caraway, Utility Review Coordinator  
**SUBJECT:** Enclave @ Palm Valley  
**DATE:** November 16, 2015

Please present the Easement, Bill of Sale, and Schedule of Values to the Board of County Commissioners (BCC) for final approval and acceptance of Enclave @ Palm Valley.

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

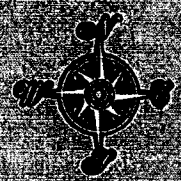
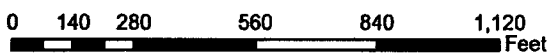
Your support and cooperation as always are greatly appreciated.



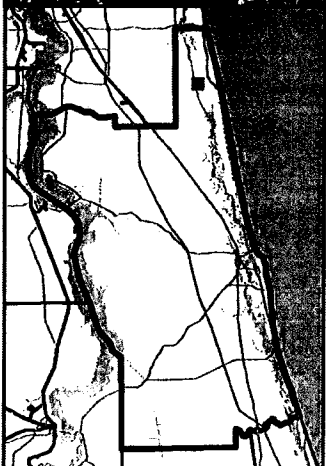
Enclave at Palm Valley

# Easement for Utilities

## Enclave at Palm Valley



2013 Aerial Imagery



St. Johns County  
Land Mgmt Systems  
Real Estate Division



Map Prepared:  
ate: November 19, 2015  
(904) 209-0788

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