

RESOLUTION NO. 2016- 62

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING UNIVERSAL NETWORK REALTY LLC'S MODIFICATION TO GRANT OF EASEMENT FOR DRAINAGE PURPOSES.

RECITALS

WHEREAS, St. Johns County ("County") entered into a Grant of Easement with the former property owners for drainage purposes, approved in Resolution No. 2008-335; and

WHEREAS, the Grant of Easement provides the right to relocate the easement property, provided equivalent drainage improvements are constructed within the relocated easement property; and

WHEREAS, Universal Network has executed and presented to the County a Modification to Grant of Easement, attached hereto as Exhibit "A," incorporated by reference and made a part hereof; and

WHEREAS, Universal Network desires to relocate a portion of the easement property and has constructed drainage improvements equivalent to those within the replaced easement property; and

WHEREAS, St. Johns County Road & Bridge Department has reviewed and approved relocation of the easement; and

WHEREAS, it is in the best interest of the County to accept the Modification to Grant Easement to insure proper drainage for the health, safety and welfare of the citizens in the area.

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 approves the terms of the Modification to Grant of Easement and authorizes the County Administrator, or designee, to execute said Agreement.

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 is instructed to record the original Modification to Grant of Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 15th day of March, 2016.


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

By: _____


Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad, Clerk

By: _____


Deputy Clerk

RENDITION DATE 3/17/16

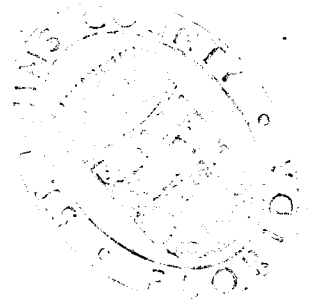


Exhibit "A" to Resolution

Prepared by and Return to
Christopher G. Commander Esq.
Holland & Knight LLP
50 North Laura Street, Suite 3900
Jacksonville, Florida 32202

**MODIFICATION TO
GRANT OF EASEMENT**

THIS MODIFICATION TO GRANT OF EASEMENT (this "Modification") is made as of the ____ day of _____, 2016, by and between UNIVERSAL NETWORK REALTY LLC, a Florida limited liability company ("Grantor"), and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida ("Grantee").

R E C I T A L S:

- A. Pursuant to that certain Grant of Easement dated as of October 28, 2008 and recorded in Official Records Book 3144, Page 1310, of the public records of St. Johns County, Florida on December 4, 2008 (the "Easement Agreement"), North St. Johns, LLC, a Florida limited liability company ("NSJ"), South St. Johns, LLC, a Florida limited liability company ("SSJ"), and West St. Johns, LLC, a Florida limited liability company ("WSJ"; and collectively with NSJ and SSJ, "Initial Grantors"), conveyed to Grantee, an easement as more particularly described in the Easement Agreement.
- B. Grantor is the current fee simple owner of all of the real property described on Exhibit "A" attached to the Easement Agreement (the "Easement Property").
- C. The Easement Agreement provides that the grantor shall have the right to relocate the Easement Property, provided that grantor constructs equivalent drainage improvements within the relocated easement property.
- D. Grantor desires to relocate a portion of the Easement Property (the "Replaced Easement Property") to real property owned by Grantor (the "Relocated Easement Area"), within which Grantor has constructed drainage improvements equivalent to those within the Replaced Easement Property, and in connection therewith amend the Easement Agreement by replacing Exhibit "A" attached to the Easement Agreement with Exhibit "A" attached hereto, which describes the Relocated Easement Area and the Easement Property, other than the Replaced Easement Property (the "Relocated Easement Property").

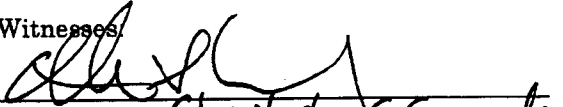
NOW, THEREFORE, in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor agrees as follows:

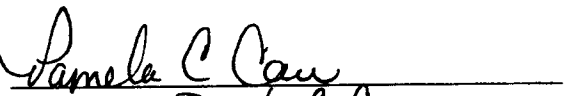
1. The foregoing recitals are true and correct and incorporated into and made a part of this Modification.

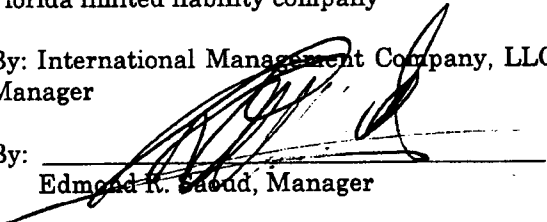
2. Exhibit "A" to the Easement Agreement is hereby amended and replaced in its entirety with the Exhibit "A" attached hereto and made a part hereof, such that the Easement Property is hereby relocated to the Relocated Easement Property.

3. Except as amended herein, the terms and conditions of the Easement Agreement shall remain in full force and effect.

Each of undersigned has caused this Modification to be executed in its name, as of the day and year first above written.

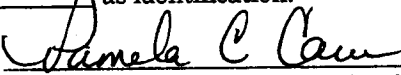
Witnesses:

Print Name: Christopher G. Comanville


Print Name: Pamela C Carr

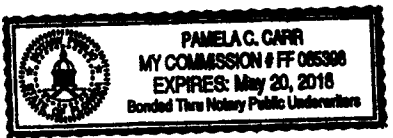
GRANTOR:
UNIVERSAL NETWORK REALTY LLC, a Florida limited liability company
By: International Management Company, LLC, its Manager
By: 
Edmond R. Saoud, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 25th day of January, 2016, by Edmond R. Saoud, the manager of International Management Company, LLC, the manager of Universal Network Realty LLC, a Florida limited liability company, who is personally known to me or has provided _____ as identification.


NOTARY PUBLIC, State of Florida

Pamela C Carr
Printed Name
My Commission Expires:
Commission Number:



Witnesses:

Print Name: _____

Print Name: _____

GRANTEE:

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

By: _____

Print Name: _____

Title: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

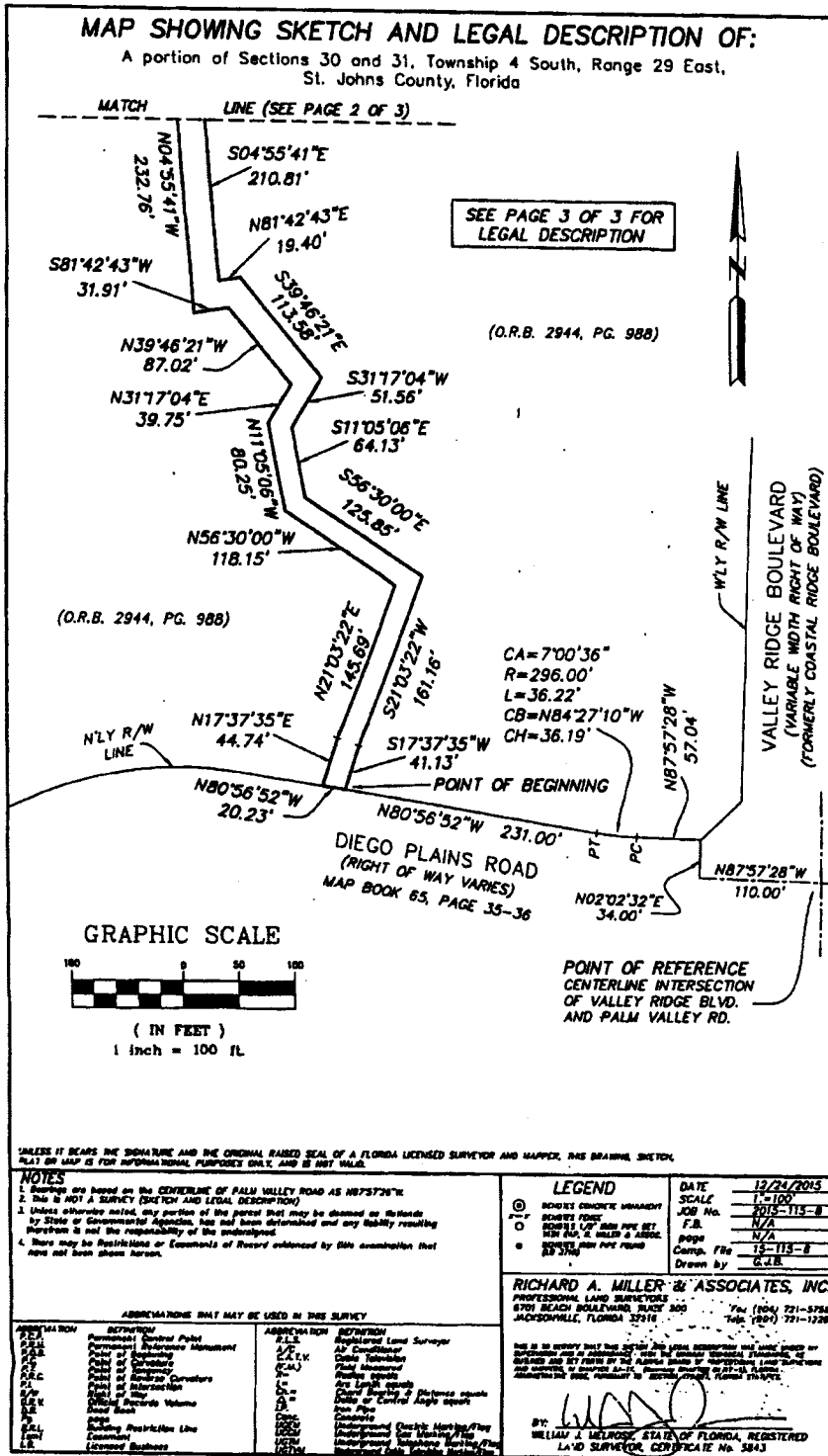
The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by
_____, the _____ of St. Johns County, a Florida, who is ___ personally known
to me or ___ has provided _____ as identification.

NOTARY PUBLIC, State of Florida

Printed Name
My Commission Expires:
Commission Number:

EXHIBIT "A"

Legal Description of the Relocated Easement Property



SEE PAGE 3 OF 3 FOR
LEGAL DESCRIPTION



STORMWATER MANAGEMENT
FACILITY
PROPERTY LINE OF
O.R.B. 2944, PG. 1007 & 1028

CA=21'37'30"
R=80.00'
L=30.19'
CB=N76'05'56"E
CH=30.02'

(O.R.B. 2944, PG. 1028)

EASEMENT RECORDED
IN O.R.B. 3144, PG. 1310

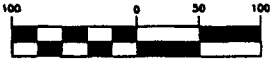
SECTION 30
SECTION 31

APPROXIMATE LOCATION
OF SECTION LINE

(O.R.B. 2944, PG. 1007)

MATCH LINE (SEE PAGE 1 OF 3)

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

RICHARD A. MILLER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
8701 BEACH BOULEVARD, SUITE 200
JACKSONVILLE, FLORIDA 32216
Fax (904) 721-5758
Tel. (904) 721-1226

Drainage Easement "A"

A portion of Sections 30 and 31, Township 4 South, Range 29 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 2944, page 988, page 1007, and page 1028, all of the Public Records of said county, being more particularly described as follows: For a Point of Reference, commence at the intersection of the centerline of Valley Ridge Boulevard (formerly Coastal Ridge Boulevard), a variable width right of way as presently established, with the centerline of Palm Valley Road, an 80 foot right of way as presently established; thence North 87°57'28" West, along said centerline of Palm Valley Road, 110.00 feet; thence North 02°02'32" East, departing said centerline, 34.00 feet to a point lying on the Westerly right of way line of said Valley Ridge Boulevard, said point also lying on the Southerly line of said Official Records Book 2944, page 988; thence Westerly, along said Southerly line of Official Records Book 2944, page 988, the following three (3) courses: Course one, thence North 87°57'28" West, along said Westerly right of way line, 57.04 feet to the point of curvature of a curve concave Northerly having a radius of 296.00 feet; Course two, thence Westerly, continuing along said Westerly right of way line and it's Westerly prolongation, and along the arc of said curve, through a central angle of 07°00'36", an arc length of 36.22 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 84°27'10" West, 36.19 feet; Course three, thence North 80°56'52" West, 231.00 feet to the Point of Beginning. From said Point of Beginning, thence continue North 80°56'52" West, along said Southerly line of Official Records Book 2944, page 988, a distance of 20.23 feet; thence North 17°37'35" East, departing said Southerly line, 44.74 feet; thence North 21°03'22" East, 145.69 feet; thence North 56°30'00" West, 118.15 feet; thence North 11°05'06" West, 80.25 feet; thence North 31°17'04" East, 39.75 feet; thence North 39°46'21" West, 87.02 feet; thence South 81°42'43" West, 31.91 feet; thence North 04°55'41" West, 232.76 feet; thence North 25°36'28" West, 67.93 feet; thence North 12°29'16" East, 48.57 feet; thence North 26°19'39" West, 105.68 feet; thence North 47°00'00" West, 65.18 feet; thence North 40°00'00" East, 56.95 feet; thence North 42°30'00" West, 141.67 feet; thence North 12°04'21" West, 50.06 feet to a point lying on the Northerly line of said lands of Official Records Book 2944, page 1007, said point also being a point on a curve concave Northerly having a radius of 80.00 feet; thence Easterly, along said Northerly line of Official Records Book 2944, page 1007, along the Northerly line of said Official Records Book 2944, page 1028, and along the arc of said curve, though a central angle of 21°37'30", an arc length of 30.19 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 76°05'56" East, 30.02 feet; thence South 12°04'21" East, departing said Northerly line of Official Records Book 2944, page 1028, a distance of 42.86 feet; thence South 42°30'00" East, 159.82 feet; thence South 40°00'00" West, 54.79 feet; thence South 47°00'00" East, 28.02 feet; thence South 26°19'39" East, 133.21 feet; thence South 12°29'16" West, 48.74 feet; thence South 25°36'28" East, 63.86 feet; thence South 04°55'41" East, 210.81 feet; thence North 81°42'43" East, 19.40 feet; thence South 39°46'21" East, 113.58 feet; thence South 31°17'04" West, 51.56 feet; thence South 11°05'06" East, 64.13 feet; thence South 56°30'00" East, 125.85 feet; thence South 21°03'22" West, 161.16 feet; thence South 17°37'35" West, 41.13 feet to the Point of Beginning.

Containing 0.74 acres, more or less.

RICHARD A. MILLER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
6701 BEACH BOULEVARD, SUITE 200
JACKSONVILLE, FLORIDA 32216
Fax (904) 721-9758
Tele. (904) 721-1228

CONSENT AND JOINDER

The undersigned, ATLANTIC PLACE FINANCE, LTD., a British Virgin Islands corporation ("APF"), the mortgagee under that certain Mortgage and Security Agreement executed by Universal Network Realty, LLC, Florida limited liability company, in favor of APF and recorded in Official Records Book 3833, Page 867, of the public records of St. Johns County, Florida, hereby consents and joins in the foregoing Modification to Grant of Easement (the "Modification") and subordinates its mortgage lien under the Mortgage encumbering all or any part of Relocated Easement Property (described in the Modification) to the Grant of Easement, as modified by the Modification.

Witnesses:

Atlantic Place Finance, Ltd., a British Virgin Islands corporation

[Signature]

Print Name: Dmitry Beck

[Signature]

Print Name: Anne Sailer

By: [Signature]
Name: J. Barry Morrison
Title: Company Secretary

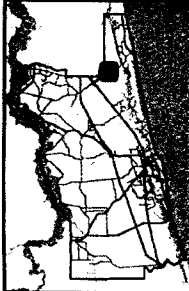
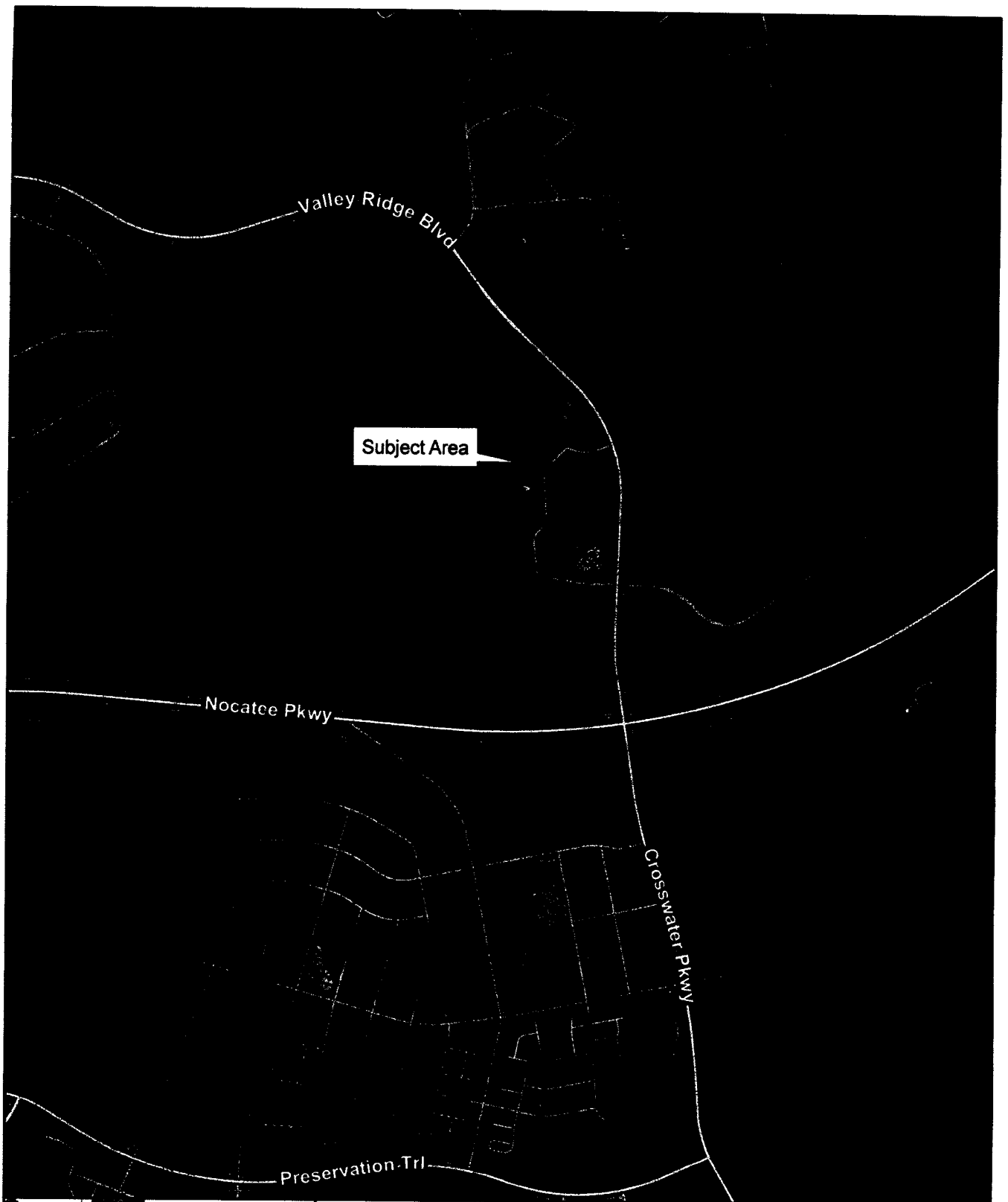
STATE OF New Hampshire
COUNTY OF Merrimack

The foregoing instrument was acknowledged before me this 20th day of January, 2016 by J. Barry Morrison, a Officer of Atlantic Place Finance, Ltd., a British Virgin Islands corporation, on behalf of said corporation.

(print name) Claudette M. Duhamel
NOTARY PUBLIC
State of New Hampshire at Large
Commission # _____
My Commission Expires:
Personally Known or Produced I.D. _____
[check one of the above]
Type of Identification Produced _____

[Signature]

CLAUDETTE M. DUHAMEL, Notary Public
My Commission Expires June 4, 2019



2013 Aerial Imagery
 0 250 500
 Feet
 February 5, 2016

Fort Wade Road Drainage Easement

Land Management
 Systems
 Real Estate
 Division
 (904) 209-0764

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.

