

RESOLUTION NO. 2017- 255

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN AMENDMENT TO GRANT OF DRAINAGE EASEMENT TO DRAIN STORMWATER RUN-OFF FROM COUNTY ROAD 210 IN CONNECTION WITH THE TWIN CREEKS DRI AND AUTHORIZING THE COUNTY ADMINISTRATOR TO JOIN IN THE EXECUTION OF THE EASEMENT.

RECITALS

WHEREAS, Twin Creeks Development Associates, LLC., a Florida limited liability company, executed the Grant of Easement recorded in Official Records Book 4127, page 308 as Pond 2A per Resolution No. 2015-378; and

WHEREAS, they are requesting an Amendment to Grant of Drainage Easement, to relocate the pond and the 20' Drainage Easement to revise the legal description due to design changes, more particularly described in Exhibit "A," attached hereto incorporated and made a part hereof; and

WHEREAS, the easement will allow the County to drain stormwater run-off from County Road 210 into this drainage pond in connection with the Twin Creeks DRI.

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 and authorizes the County Administrator to join in the Amendment to Grant of Drainage Easement for Pond 2A.

Section 3. To the extent that there are typographical 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.

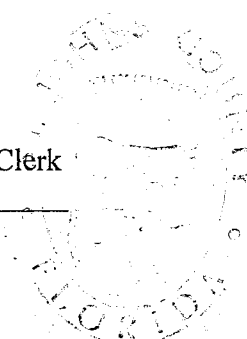
Section 4. The Clerk is instructed to record the original Amendment to Grant of Drainage Easement.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 1st day of August, 2017.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: Hunter S. Conrad, Clerk
By: Pam Halterman
Deputy Clerk



RENDITION DATE 8/3/17

EXHIBIT "A" TO RESOLUTION

Prepared By and Return To:

Zelica Quigley, Esq.
Broad and Cassel LLP
7777 Glades Road, Suite 300
Boca Raton, Florida 33431

AMENDMENT TO GRANT OF DRAINAGE EASEMENT
(Pond 2A)

THIS AMENDMENT TO GRANT OF DRAINAGE EASEMENT (Pond 2A) (this "Amendment") is made and entered into as of the ____ day of _____, 2017 (the "Effective Date") by **TWIN CREEK DEVELOPMENT ASSOCIATES, LLC**, a Florida limited liability company, whose address is P.O. Box 812241, Boca Raton, Florida 33481 ("TCDA"), **LENNAR HOMES, LLC**, a Florida limited liability company, whose address is 9440 Phillips Highway, Suite 7, Jacksonville, Florida 32256 (**Lennar**) and **ST JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("**County**").

WHEREAS, South Jacksonville Properties, LLC, a Florida limited liability company, and St. Johns County, Florida, a political subdivision of the State of Florida, executed that certain Grant of Drainage Easement (Pond 2A) dated December 21, 2015, recorded in Official Records Book 4127, Page 308 of the Public Records of St. Johns County, Florida ("**Drainage Easement**"); and

WHEREAS, a portion of the Easement Area (as defined in the Drainage Easement) is now owned by TCDA and the remaining portion of the Easement Area is now owned by Lennar.

WHEREAS, the County, TCDA and Lennar desire to amend the Drainage Easement, in accordance with the terms and conditions contained herein.

NOW, THEREFORE, in consideration of the mutual agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. **Recitals/Capitalized Terms.** The foregoing recitals are true and correct and incorporated herein by reference. Any capitalized term not otherwise defined herein shall have the meaning ascribed to it in the Drainage Easement.

2. **Easement Area.** EXHIBIT "A" to the Drainage Easement is hereby deleted in its entirety and replaced with EXHIBIT "A" attached hereto. The property described on EXHIBIT "A" attached hereto shall hereinafter be the Easement Area.

3. **Effect on Agreement.** Except as modified herein, the Drainage Easement shall remain in full force and effect binding upon the County, TCDA and Lennar. In the event of a conflict between the Drainage Easement and this Amendment, the terms of this Amendment shall control.

4. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, and all of which collectively shall be deemed one and the same document.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, TCDA, Lennar and the County hereto have executed this Amendment as of the Effective Date.

**TWIN CREEKS DEVELOPMENT
ASSOCIATES, LLC**, a Florida limited liability
company

Print Name: _____

Print Name: _____

By: _____
John T. Kinsey, Manager

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by John Kinsey, as Manager of Twin Creeks Development Associates, LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification.

Notary Public
Name: _____
Commission Expires: _____

LENNAR HOMES, a Florida limited liability company

Print Name: _____

Print Name: _____

By: _____

Name: _____

Title: _____

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, as _____ of Lennar Homes, LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification.

Notary Public

Name: _____

Commission Expires: _____

Print Name: _____

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

Print Name: _____

By: _____
Name: _____
Title: _____

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, as _____ of St. Johns County, Florida, a political subdivision of the State of Florida, who is personally known to me or who has produced _____ as identification.

Notary Public
Name: _____
Commission Expires: _____

EXHIBIT "A"

POND 2A (PARCEL 807 AS REVISED)

A PORTION OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID SECTION 9 AND THE NORTHWESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 210, (A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED PURSUANT TO DEED RECORDED IN OFFICIAL RECORDS BOOK 4156, PAGE 1162 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA); THENCE NORTH 51°03'23" EAST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, 90.81 FEET; THENCE SOUTH 89°02'56" WEST, 364.84 FEET; THENCE NORTH 56°04'49" WEST, 40.30 FEET, TO THE ARC OF A CURVE LEADING NORTHERLY, AND THE POINT OF BEGINNING; THENCE NORTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 58.00 FEET, AN ARC DISTANCE OF 52.11 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 02°04'56" WEST, 50.38 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 27°49'19" WEST, 867.43 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 60.00 FEET, AN ARC DISTANCE OF 82.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 67°12'27" WEST, 76.14 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING WESTERLY; THENCE WESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1275.00 FEET, AN ARC DISTANCE OF 170.63 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 69°34'23" WEST, 170.50 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 45.00 FEET, AN ARC DISTANCE OF 95.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 04°57'02" WEST, 78.55 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 182.00 FEET, AN ARC DISTANCE OF 177.37 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 27°55'08" EAST, 170.43 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 00°00'00" WEST, 372.71 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING SOUTHERLY; THENCE SOUTHERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, AN ARC DISTANCE OF 167.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 19°33'15" WEST, 164.00 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 45.00 FEET, AN ARC DISTANCE OF 102.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°50'20" EAST, 81.53 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89°12'49" EAST, 530.71 FEET, TO THE POINT OF CURVATURE OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 58.00 FEET, AN ARC DISTANCE OF 66.36 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 56°26'08" EAST, 62.80 FEET, TO THE POINT OF BEGINNING.

CONTAINING 7.97 ACRES, MORE OR LESS.

EXHIBIT "A" CONTINUED

DRAINAGE EASEMENT NO. 1 (20' WIDE)

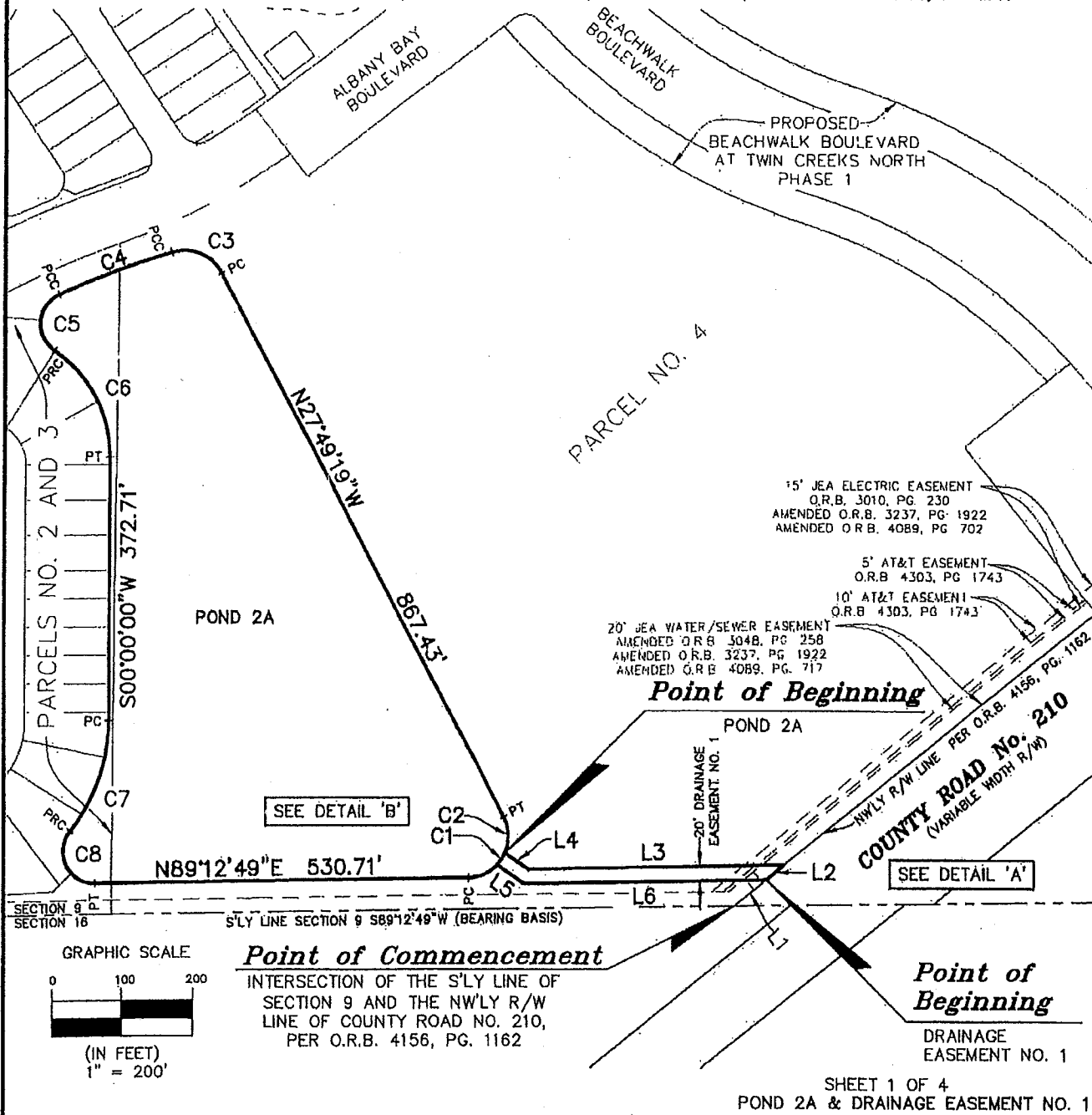
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CONTAINING 0.18 ACRES, MORE OR LESS.

MAP SHOWING

A PORTION OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA



JOB NO. 2017-183-A
DRAFTER SPB
DATE 4/27/2017
SCALE 1"=200'

THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

THIS DRAWING, SKETCH, PLAT OR MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODE).

THIS MAP OR SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATION SHOWN HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.

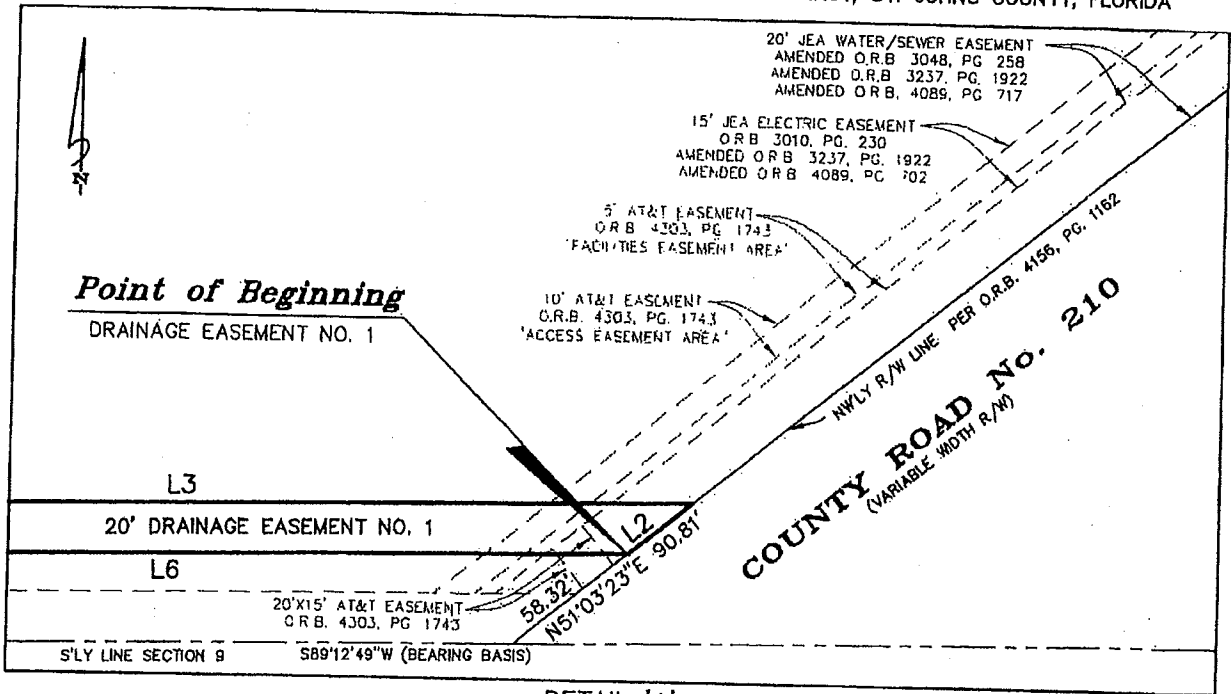
Gregory B. Clary
GREGORY B. CLARY, P.S.M. CERT. NO. 3377

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PROFESSIONAL SURVEYORS & MAPPERS
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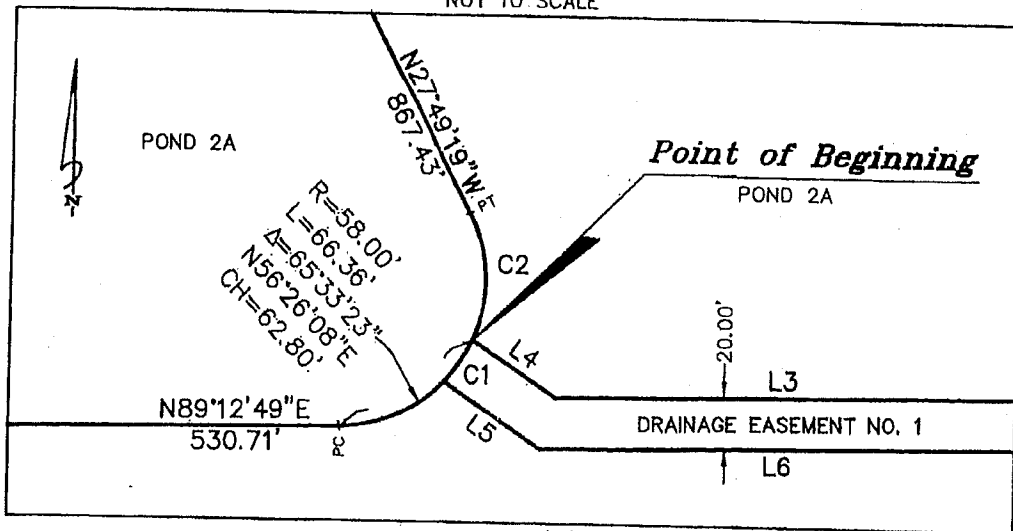
CHECKED BY *JB*

MAP SHOWING

A PORTION OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA



DETAIL 'A'
NOT TO SCALE



DETAIL 'B'
NOT TO SCALE

SHEET 2 OF 4
POND 2A & DRAINAGE EASEMENT NO. 1

JOB NO. 2017-183-A

DRAFTER SPB

DATE 4/27/2017

SCALE 1"=200'

CHECKED BY: *SPB*

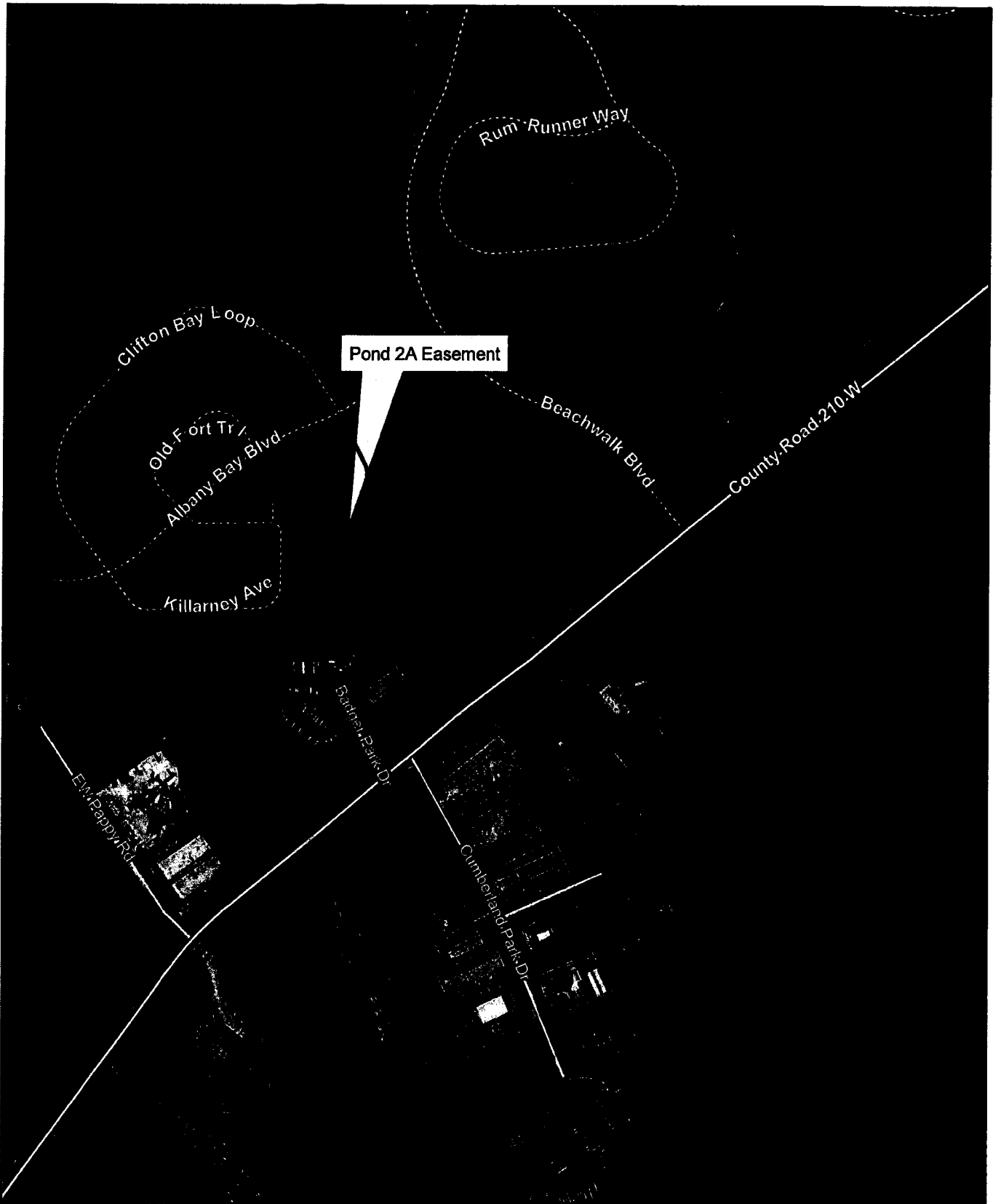
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Pond 2A Easement



2013 Aerial Imagery
 0 100 200 300 400 500
 July 6, 2017

TWIN CREEKS POND 2A

Amendment to Easement

Land Mgmt. Systems
 Real Estate Division
 209-0796

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.

