

RESOLUTION NO. 2022- 1

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES, A BILL OF SALE, A FINAL RELEASE OF LIEN, AND A WARRANTY ASSOCIATED WITH THE WATER AND SEWER SYSTEMS TO SERVE MR. MOW IT ALL LOCATED OFF STATE ROAD 207.**

**RECITALS**

**WHEREAS**, G&H Underground Construction, Inc., a Florida corporation, has executed and presented to the County an Easement for Utilities associated with the water system to serve Mr. Mow It All located off State Road 207, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, G&H Underground Construction, Inc., a Florida corporation, has executed and presented to the County a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer systems to serve Mr. Mow It All located off State Road 207, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

**WHEREAS**, G&H Underground Construction, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Mr. Mow It All, attached hereto as Exhibits "C" and "D", 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 "E," 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, Bill of Sale and Schedule of Values, Final Release of Lien and Warranty, attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

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.

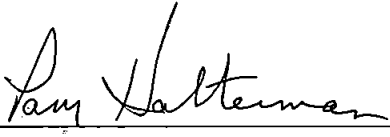
Section 4. The Clerk of the Circuit Court is instructed to record the original Easement for Utilities, and Final Release of Lien and file the Warranty and Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 18 day of January, 2022.

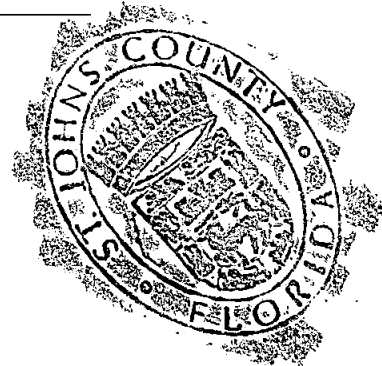
**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

By:   
Henry Dean, Chair

**ATTEST:** Brandon J. Patty, Clerk of the  
Circuit Court & Comptroller

  
Deputy Clerk

RENDITION DATE 1/20/22



**EASEMENT FOR UTILITIES**

THIS EASEMENT executed and given this 17<sup>th</sup> day of May, 2021 by Wade G. Gubby for GTH Underworld LLC with an address of 2315 Dobbs Rd / 30 Banana Court, 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 meters 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. WATER SYSTEM - The Grantee shall maintain water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines located within the boundary of the Grantor's property excluding the water meters.

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:

Jennifer Smith  
Witness Signature

Jennifer Smith  
Print Name

De Abernathy  
Witness Signature

Gerri Abernathy  
Print Name

By: Wade Gibby

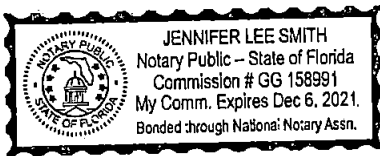
Print Name: Wade Gibby

Its: President

STATE OF FLORIDA  
COUNTY OF St Johns

The foregoing instrument was acknowledged before me by means  
of  physical presence or  online notarization, this 17<sup>th</sup> day of

May, 2021, by  
Wade Gibby as President  
for G+H Underground Construction, Inc.

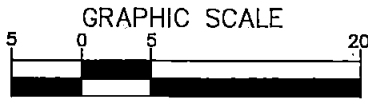


Jennifer Smith  
Notary Public  
My Commission Expires: 12-06-2021

XPersonally Known or Produced Identification  
Type of Identification Produced

Exhibit "A"

MAP SHOWING SKETCH AND DESCRIPTION



( IN FEET )  
1 inch = 10 ft.

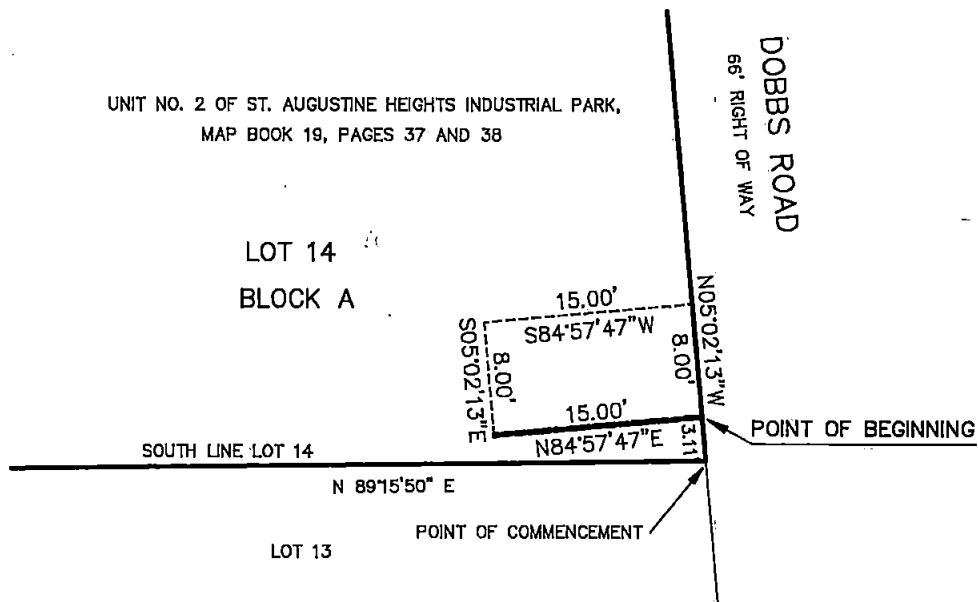


DESCRIPTION

A STRIP OF LAND OVER A PART OF LOT 14, BLOCK A, UNIT NO. 2 OF ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK, AS RECORDED IN MAO BOOK 19, PAGES 37 AND 38, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 14, BEING ON THE WEST RIGHT OF WAY OF DOBBS ROAD, A 66 FOOT RIGHT OF WAY, THENCE N05°02'13"W ALONG SAID RIGHT OF WAY A DISTANCE OF 3.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N05°02'13"W ALONG SAID RIGHT OF WAY A DISTANCE OF 8.00 FEET; THENCE DEPARTING SAID RIGHT OF WAY S84°57'47"W A DISTANCE OF 15.00 FEET; THENCE S05°02'13"E A DISTANCE OF 8.00 FEET; THENCE N84°57'47"E A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

UNIT NO. 2 OF ST. AUGUSTINE HEIGHTS INDUSTRIAL PARK,  
MAP BOOK 19, PAGES 37 AND 38

LOT 14  
BLOCK A



NOTES

THIS IS NOT A BOUNDARY SURVEY.

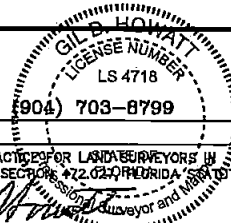
THE BASIS OF BEARING AS SHOWN HEREON IS THE WEST RIGHT-OF-WAY LINE OF DOBBS ROAD HAVING AN ASSUMED BEARING OF N 05°02'13" W. THIS SURVEY IS NOT VALID UNLESS IT IS SIGNED AND EMBOSSED WITH THE SIGNING SURVEYORS SEAL.

THIS IS NOT A BOUNDARY SURVEY

**B. H. AND ASSOCIATES**

PROFESSIONAL LAND SURVEYORS L.B. #7800

21B UTILITY DRIVE - PALM COAST, FLORIDA - 32137 - PHONE (904) 703-8799



I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION PERFORMED UNDER MY RESPONSIBLE DIRECTION, MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 5J-17, FLA. ADMINISTRATIVE CODE (PURSUANT TO SECTIONS 472.02, 472.03, FLORIDA STATUTES.)

SURVEYED 5-21-21

GIL D. HOWATT, REGISTERED LAND SURVEYOR FLA. NO. 4718  
LICENSED BUSINESS NUMBER 7800

BEARING DATUM BASED ON BEARING BASE N05°02'13"W ASSUMED ALONG DOBBS ROAD

FIELD BOOK NO.: \_\_\_\_\_ PAGE(S) \_\_\_\_\_ LEGAL: \_\_\_\_\_ WORK ORDER NO.: \_\_\_\_\_  
COMPUTER FILE NAME: MOW IT ALL/UTILITY EASEMENT SCALE: 1"=10' FILE NO.: \_\_\_\_\_



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

Mr Mow It All/Dobbs Road

G&H Underground Construction, Inc., (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 FOR Mr Mow It All / Dobbs Road

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 22 day of April, 2021.

WITNESS:

Michelle Lourcey  
Witness Signature

Michelle Lourcey  
Print Witness Name

OWNER:

Wade Gibby  
Owner's Signature

Wade Gibby  
Print Owner's Name

State of FL  
County of St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 22<sup>nd</sup> day of April, 2021, by Wade Gibby as President of G&H Underground Construction Inc.

Personally known or  Produced identification  
Type of identification produced \_\_\_\_\_

[SEAL]

Geni Abernathy  
Notary Public Signature

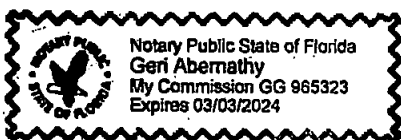


Exhibit "A" to Bill of Sale



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

Project Name: Mr Mow It All  
 Contractor: G&H Underground Construction  
 Developer: G&H Underground Construction

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
10" HDPE CTS DR9	LF	22	\$ 18.70	\$ 411.40
8" MJ 45 degree bend (Water Main)	EA	4	\$ 182.00	\$ 728.00
10"x8" MJ Reducer (Water Main)	EA	1	\$ 258.00	\$ 258.00
8" DR18 PVC (Water Main)	LF	28	\$ 7.44	\$ 208.32
8x8x6 Tee MJ	EA	2	\$ 232.00	\$ 464.00
<b>Water Valves (Size and Type)</b>				
10"x10" Tapping Sleeve & Valve (Water Main)	Ea	1	\$ 1,046.00	\$ 1,046.00
6" Vave (Water Main)	Ea	1	\$ 537.00	\$ 537.00
2" Valve	Ea	1	\$ 260.00	\$ 260.00
8" Gate Valve	Ea	1	\$ 840.00	\$ 840.00
<b>Hydrants Assembly (Size and Type)</b>				
Fire Hydrant 6"	Ea	1	\$ 1,585.00	\$ 1,585.00
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
1" Curb Stop	Ea	1	\$ 68.00	\$ 68.00
Yoke Bar	Ea	1	\$ 85.00	\$ 85.00
	Ea		\$ -	\$ -
			\$ -	\$ -
<b>Total Water System Cost</b>			<b>\$</b>	<b>6,490.72</b>



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

Project Name: Mr Mow It All  
 Contractor: G&H Underground Construction, Inc  
 Developer: G&H Underground Construction, Inc

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Force Mains (Size, Type &amp; Pipe Class)</b>				
	LF			
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Sewer Valves (Size and Type)</b>				
4"x2" Tapping Sleeve & Valve	Ea	1	\$ 635.00	\$ 635.00
	Ea		\$ -	\$ -
	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>				\$ 635.00

Exhibit "C" to Resolution



**FINAL RELEASE OF LIEN**

**UTILITY IMPROVEMENTS**

The undersigned lienor, in consideration of the sum \$7,125.72 hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through 5/6/2021 to St Johns County . to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR:  
Mr Mow It All

The waiver and release does not cover any retention or labor, services, or materials furnished after the date specified.

IN WITNESS WHEREOF, the Lienor has caused this instrument to be duly executed and delivered by its duly authorized office on this 6<sup>th</sup> day of May, 2021 .

WITNESS:

[Signature]  
Witness Signature

Chris Ance  
Print Witness Name

OWNER:

[Signature]  
Lienor's Signature

Wade Gibby  
Print Lienor's Name

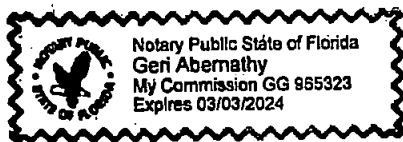
State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 6<sup>th</sup> day of May, 2021, by Wade Gibby as President of G&H Underground Construction Inc

Personally known or  Produced identification  
Type of identification produced \_\_\_\_\_

[Signature]  
Notary Public Signature

[SEAL]





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

Project Name: Mr Mow It All  
 Contractor: G&H Underground Construction  
 Developer: G&H Underground Construction

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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Fire Hydrant 6"	Ea	1	\$ 1,585.00	\$ 1,585.00
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			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
1" Curb Stop	Ea	1	\$ 68.00	\$ 68.00
Yoke Bar	Ea	1	\$ 85.00	\$ 85.00
	Ea		\$ -	\$ -
			\$ -	\$ -
<b>Total Water System Cost</b>				<b>\$ 6,490.72</b>



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

Project Name: Mr Mow It All  
 Contractor: G&H Underground Construction, Inc  
 Developer: G&H Underground Construction, Inc

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Force Mains (Size, Type &amp; Pipe Class)</b>				
	LF			
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Sewer Valves (Size and Type)</b>				
4"x2" Tapping Sleeve & Valve	Ea	1	\$ 635.00	\$ 635.00
	Ea		\$ -	\$ -
	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>\$ 635.00</b>



**WARRANTY**  
**UTILITY IMPROVEMENTS**

Date: 4/22/2021

Project Title: Mr Mow It All / Dobbs Road  
St. Johns County, Florida

FROM: G&H Underground Construction, Inc  
2200 N Ponce De Leon Blvd Ste 11  
St Augustine, Fl. 32084

TO: St. Johns County Utility Department  
Post Office Box 3006  
St. Augustine, Florida 32085

The undersigned warrants all its work performed in connection with the above project to be free from all defects in material and workmanship for a period of (1) year from the date of acceptance of the project by St. Johns County and agrees to remedy all defects arising with that period at its expense.

The term defects shall not be construed as embracing damage arising from misuse, negligence, Acts of God, normal wear and tear or failure to follow operating instructions.

**Contractor:**

Wade Gibby  
Contractor's Signature

Wade Gibby  
Print Contractor's Name

State of FL  
County of St. Johns

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of April, 2021, by Wade Gibby who is personally known to me or has produced a license as identification.

physical presence

Geni Abernathy  
Notary Public

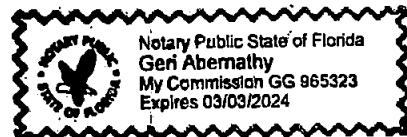


Exhibit "E" to Resolution



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

Utility Department

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INTEROFFICE MEMORANDUM

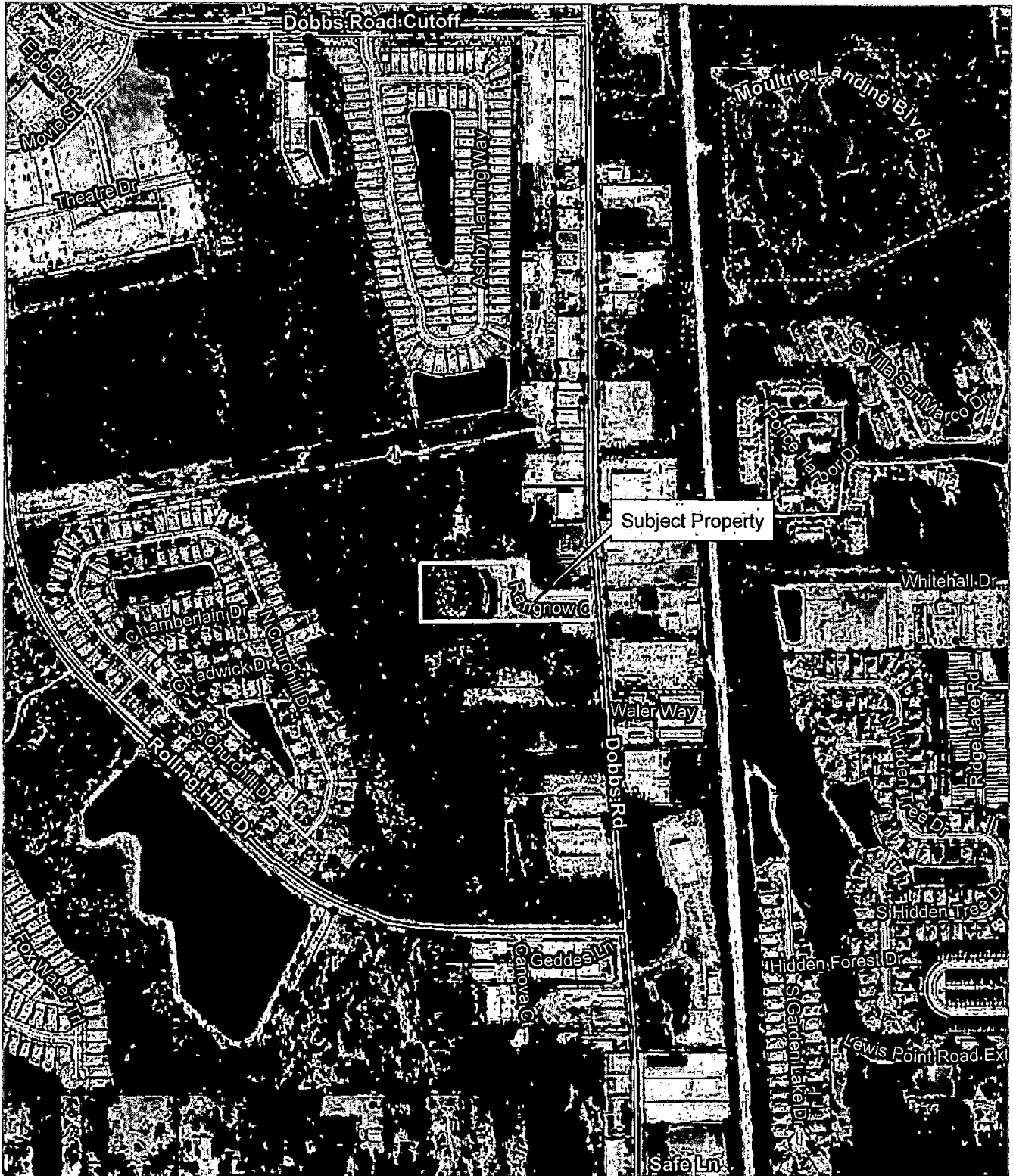
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TO: Debbie Taylor, Real Estate Manager  
FROM: Melissa Caraway, Utility Review Coordinator  
SUBJECT: Mr. Mow It All (Dobbs Rd)  
DATE: October 6, 2021

Please present the Easement, Bill of Sale, Schedule of Values, Release of Lien, and Warranty to the Board of County Commissioners (BCC) for final approval and acceptance of Mr. Mow It All (Dobbs Rd).

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.



Aerial Photography 2021  
 0 145 290 580  
 Feet  
 Date: 12/13/2021

Easement for Utilities,  
 Bill of Sale, Schedule of  
 Values, Final Release of  
 Lien, & Warranty

Mr Mow It All

Land Management  
 Systems  
 Real Estate  
 Division  
 (904) 209-0782

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.

