

RESOLUTION NO. 2022- 114

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, SEWER AND SEWER FORCE MAIN SYSTEMS TO SERVE WATERFORD LAKES PHASE 1 LOCATED OFF ST. JOHNS PARKWAY.

RECITALS

WHEREAS, Forestar (USA) Real Estate, Inc., a Delaware corporation, has executed and presented to the County an Easement for Utilities associated with the water, sewer and sewer force main systems to serve Waterford Lakes Phase 1 located off St. Johns Parkway, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, Forestar (USA) Real Estate, Inc., a Delaware corporation, has executed and presented to the County a Bill of Sale and Schedule of Values conveying all personal property associated with the water, sewer and sewer force main systems to serve Waterford Lakes Phase 1 located off St. Johns Parkway, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

WHEREAS, V J Usina Contracting, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Waterford Lakes Phase 1, 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.

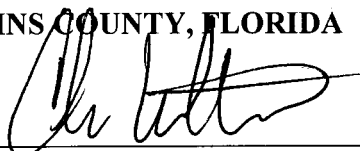
Section 3. To the extent that there are typographical, scrivener or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

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.

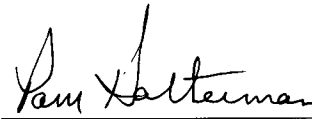
PASSED AND ADOPTED this 19th day of April, 2022.

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

By: _____


Christian Whitehurst, Vice-chair

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



Deputy Clerk

Recd Date 4/21/22



Exhibit "A" to Resolution

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 6th day of January, 2022 by Forestar (USA) Real Estate Group Inc. , with an address of 4022 Race Track Road St. Johns, Florida 32259, 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 distribution system, gravity sewer collection system & sewer force mains and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water and 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 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) WATER SYSTEM - The Grantee shall maintain all water mains and other elements of the water distribution system up to and including the water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines between the water meter and the improvements served by the utility system.

(b) SEWER FORCE MAINS - Grantee, by acceptance of this Easement, hereby agrees to maintain the sewer force mains located within the Easement Area.

(c) GRAVITY SEWER SYSTEM - Grantee, by acceptance of this Easement, hereby agrees to maintain sewer force mains and gravity sewer lines located within the Easement Area. The Grantee's maintenance of gravity sewer lines shall extend "manhole to manhole", but shall not include a responsibility for maintenance of sewer service laterals; The Grantor or Grantor's successors and assigns shall be responsible for the maintenance of such sewer service laterals. Grantor hereby specifically indemnifies and holds Grantee harmless from and against costs and expenses associated with installation, maintenance, repair or replacement of sewer service laterals.

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:

[Signature]
Witness

[Signature]
By: Sarah Wicker
Its: Vice President

[Signature]
Print Name
Witness

[Signature]
Print Name

STATE OF FLORIDA
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7 day of January, 2022, by Sarah Wicker as Vice President for Deborah E. McClure Real Estate Services, LLC

[Signature]
Notary Public
My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced



DEBORAH E. MCCLURE
Commission # GG 967814
Expires July 10, 2024
Bonded Thru Budget Notary Services

EXHIBIT "A"

EASEMENT AREA

All private roadways, being Waterford Lakes Drive, Coastline Way, Barley Street, and Temple Drive, as recorded in the Waterford Lakes Phase 1 plat, Plat Book 105, pages 75 - 89.

EXHIBIT "B"

INGRESS/EGRESS AREA

All private roadways, being Waterford Lakes Drive, Coastline Way, Barley Street, and Temple Drive, as recorded in the Waterford Lakes Phase 1 plat, Plat Book 105, pages 75 - 89.



BILL OF SALE
UTILITY IMPROVEMENTS
For

WATERFORD LAKES PHASE 1

Forestar (USA) Real Estate, 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 WATERFORD LAKES PHASE 1"
(Note: The description listed should match the description listed on the "Release of Lien")

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 7th of December, 2021

WITNESS:

Witness Signature

Print Witness Name

OWNER:

Owner's Signature

Print Owner's Name

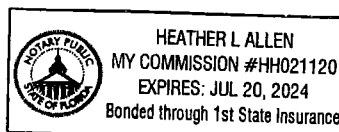
STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7th day of December, 2021, by Sarah Wicker as owner for Forestar (USA) Real Estate Inc.

Notary Public

My Commission Expires: 7/20/2024

Personally Known or Produced Identification
Type of Identification Produced





St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name:	Waterford Lakes Phase 1
Contractor:	VJ Usina Contracting, Inc.
Developer:	Forestar Real Estate Group Inc.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Force Mains (Size, Type & Pipe Class)				
4" DR18 FPVC	LF	2,475	\$ 16.83	\$ 41,654.25
	LF			\$ -
	LF		\$ -	\$ -
Sewer Valves (Size and Type)				
4" Gate Valve	Ea	4	\$ 1,033.25	\$ 4,133.00
	Ea			\$ -
	Ea		\$ -	\$ -
Gravity Mains (Size, Type & Pipe Class)				
8" SDR 26 PVC (4-6)	LF	868	\$ 16.50	\$ 14,322.00
8" SDR 26 PVC (6-8)	LF	238	\$ 20.50	\$ 4,879.00
8" SDR 26 PVC (8-10)	LF	826	\$ 26.50	\$ 21,889.00
8" SDR 26 PVC (10-12)	LF	588	\$ 34.50	\$ 20,286.00
8" SDR 26 PVC (12-14)	LF	378	\$ 42.50	\$ 16,065.00
8" SDR 26 PVC (14-16)	LF	182	\$ 49.50	\$ 9,009.00
8" SDR 26 PVC (16-18)	LF	19	\$ 52.50	\$ 997.50
Laterals (Size and Type)				
6" SDR35	EA	140	\$ 1,016.71	\$ 142,339.40
	EA		\$ -	\$ -
Manholes (Size and Type)				
Type A (4-6)	EA	6	\$ 2,814.92	\$ 16,889.52
Type A (6-8)	EA	1	\$ 3,308.97	\$ 3,308.97
Type A (8-10)	EA	5	\$ 4,339.02	\$ 21,695.10
Type A (10-12)	EA	1	\$ 5,230.64	\$ 5,230.64
Type A (12-14)	EA	2	\$ 5,931.80	\$ 11,863.60
Type A (14-16)	EA	1	\$ 6,230.64	\$ 6,230.64
Type A (16-18) First Out	EA	1	\$ 15,592.38	\$ 15,592.38
Type A Junction (4-6)	EA	1	\$ 4,769.03	\$ 4,769.03
Type A Junction (10-12)	EA	2	\$ 8,951.03	\$ 17,902.06
Type A Junction (12-14)	EA	1	\$ 10,577.74	\$ 10,577.74
Type A Junction (14-16)	EA	1	\$ 14,313.42	\$ 14,313.42
Type B Junction (8-10)	EA	1	\$ 9,779.79	\$ 9,779.79
Lift Station				
Wetwell 8' Diameter 22.9' Deep	EA	1	\$ 40,943.00	\$ 40,943.00
Mechanical, Electric, Pump, Piping	EA	1	\$ 193,000.00	\$ 193,000.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Total Sewer System Cost			\$	\$ 647,670.04



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: Waterford Lakes Phase 1
 Contractor: VJ Usina Contracting, Inc.
 Developer: Forestar Real Estate Group Inc.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
12" FPVC	LF	540	\$ 48.24	\$ 26,049.60
12" DR18	LF	2,060	\$ 29.42	\$ 60,605.20
12" Ductile	LF	120	\$ 54.66	\$ 6,559.20
8" DR18	LF	1,120	\$ 18.29	\$ 20,484.80
6" DR18	LF	80	\$ 14.21	\$ 1,136.80
4" DR18	LF	440	\$ 11.13	\$ 4,897.20
8" FPVC	LF	180	\$ 28.42	\$ 5,115.60
Water Valves (Size and Type)				
4" Gate Valve & Box	Ea	3	\$ 1,075.00	\$ 3,225.00
6" Gate Valve & Box	Ea	5	\$ 1,298.00	\$ 6,490.00
8" Gate Valve & Box	Ea	11	\$ 1,777.00	\$ 19,547.00
12" Gate Valve & Box	Ea	4	\$ 3,065.00	\$ 12,260.00
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
5 1/4 American Flow Fire Hydrant	Ea	5	\$ 2,790.00	\$ 13,950.00
			\$ -	\$ -
			\$ -	\$ -
Sevices (Size and Type)				
1" Single Long Service	Ea	12	\$ 981.70	\$ 11,780.40
1" Single Short Service	Ea	30	\$ 655.00	\$ 19,650.00
1" Double Long Service	Ea	12	\$ 1,222.00	\$ 14,664.00
1" Double Short Service	Ea	34	\$ 841.00	\$ 28,594.00
Total Water System Cost				\$ 255,008.80



FINAL RELEASE OF LIEN

UTILITY IMPROVEMENTS

The undersigned lienor, in consideration of the sum 902,678.84 (nine hundred two thousand six hundred seventy-eight dollars and eighty-four cents) hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through December 3, 2021 to St. Johns County to the following described property:

See Exhibit A – Schedule of Values for Waterford Lakes Phase 1

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 3rd of December, 2021.

WITNESS:

Melissa Googe
Witness Signature

Melissa Googe
Print Witness Name

OWNER:

Crystal Durham
Lienor's Signature

Crystal Durham
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 3rd day of December, 2021, by Crystal Durham as the project manager for VJ Usina Contracting.

Madesyn Howard

Notary Public

My Commission Expires: 8/12/2023

Personally Known or Produced Identification
Type of Identification Produced

MADESYN HOWARD
Notary Public, State of Florida
My Comm. Expires 08/12/2023
Commission No. HH62287



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name: Waterford Lakes Phase 1
 Contractor: VJ Usina Contracting, Inc.
 Developer: Forestar Real Estate Group Inc.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Force Mains (Size, Type & Pipe Class)				
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	LF			\$ -
	LF		\$ -	\$ -
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			\$ -	\$ -
			\$ -	\$ -
Total Sewer System Cost			\$	\$ 647,670.04



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: Waterford Lakes Phase 1
 Contractor: VJ Usina Contracting, Inc.
 Developer: Forestar Real Estate Group Inc.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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1" Double Short Service	Ea	34	\$ 841.00	\$ 28,594.00
Total Water System Cost				\$ 255,008.80



**WARRANTY
UTILITY IMPROVEMENTS**

Date: December 3, 2021
Project Title: Waterford Lakes Phase 1
St. Johns County, Florida

FROM: VJ Usina Contracting, Inc.
4669 Avenue A
Saint Augustine, FL 32095

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:

Crystal Durham
Contractor's Signature

Crystal Durham
Print Contractor'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 3rd day of December, 2021, by Crystal Durham as the project manager for VJ Usina Contracting.

Madesyn Howard
Notary Public
My Commission Expires: 08/12/2023

Personally Known or Produced Identification
Type of Identification Produced

MADESYN HOWARD
Notary Public, State of Florida
My Comm. Expires 08/12/2023
Commission No. HH62287



St. Johns County Board of County Commissioners

Utility Department

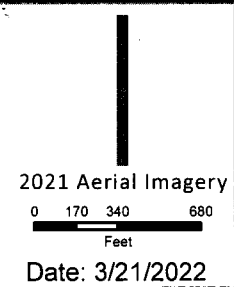
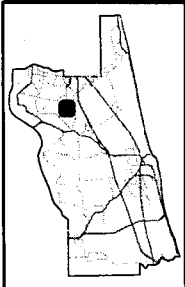
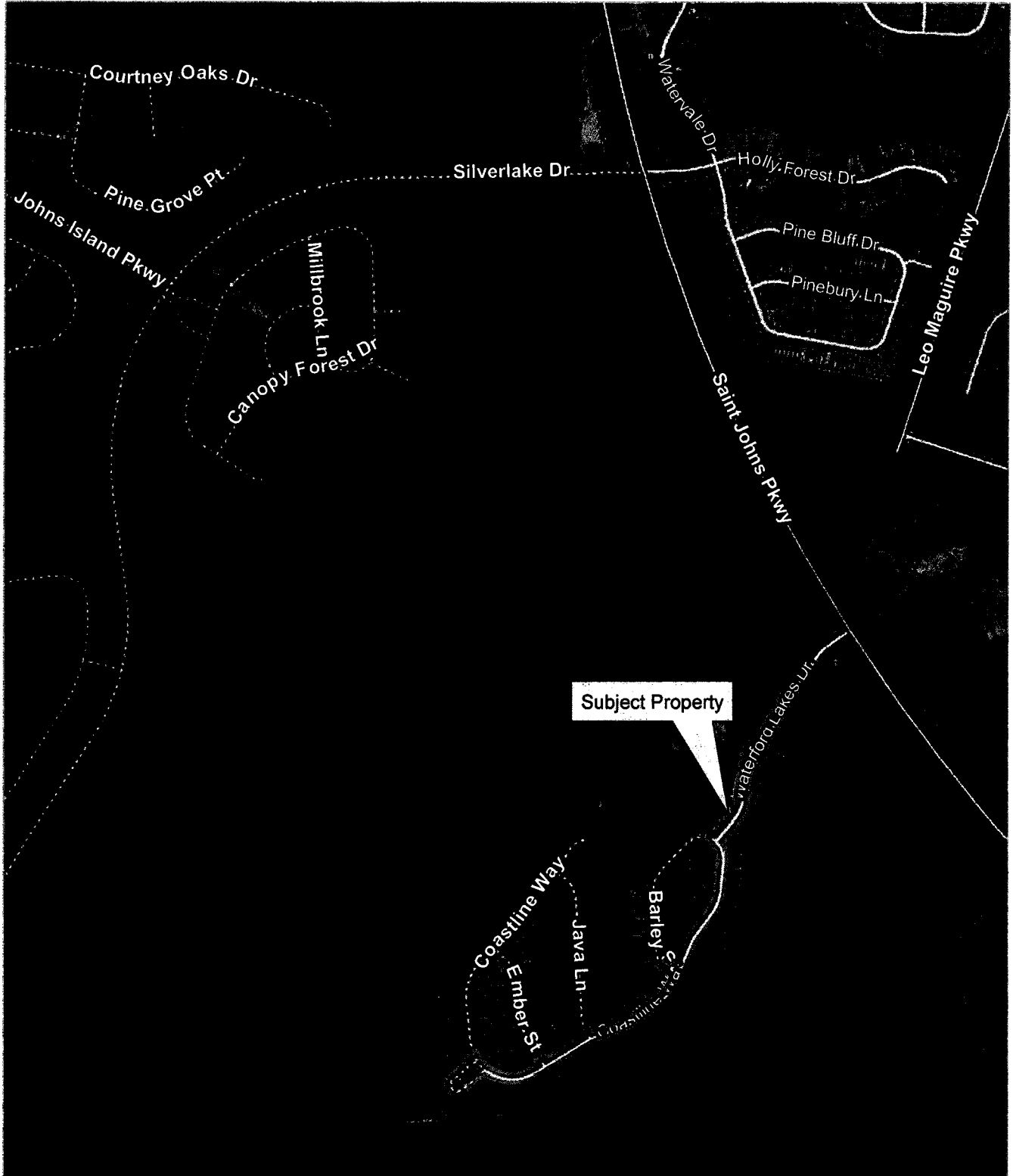
INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Waterford Lakes Phase 1
DATE: February 24, 2022

Please present the Easement, Bill of Sale, Schedule of Values, Release of Lien, and Warrant to the Board of County Commissioners (BCC) for final approval and acceptance of Waterford Lakes Phase 1.

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.



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

Waterford Lakes
 Phase 1

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.

