

RESOLUTION NO. 2022- 185

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 SYSTEM TO SERVE ENCOMPASS HEALTH REHABILITATION HOSPITAL OF ST. AUGUSTINE LOCATED OFF STATE ROAD 207.

RECITALS

WHEREAS, Encompass Health Rehabilitation Hospital of St. Augustine, LLC, a Delaware limited liability company, has executed and presented to the County an Easement for Utilities associated with the water system to serve Encompass Health Rehabilitation Hospital of St. Augustine located off State Road 207, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, Encompass Health Rehabilitation Hospital of St. Augustine, LLC, a Delaware limited liability company, has executed and presented to the County a Bill of Sale and Schedule of Values conveying all personal property associated with the water system to serve Encompass Health Rehabilitation Hospital of St. Augustine located off State Road 207, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, Jax Dirtworks, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Encompass Health Rehabilitation of St. Augustine, 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 7 day of June, 2022.

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

By: Henry Dean
Henry Dean, Chair

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

Rendition Date 6/9/22

Sam Halterman
Deputy Clerk

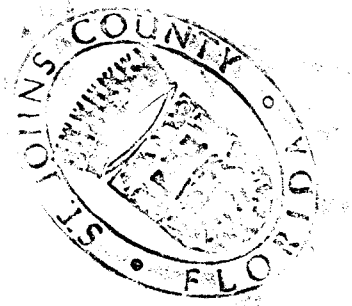


Exhibit "A" to Resolution

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 20th day of October, 2021 by Encompass Health Rehabilitation Hospital of St. Augustine, LLC, with an address of 9001 Liberty Pkwy, Birmingham, Alabama, 35242, 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:

[Signature]
Witness Signature

John R. Tschudin, Jr.
Print Name

By: [Signature]

Print Name: Thomas H. Boyle

Its: Vice-President

[Signature]
Witness Signature

Laura Yeatman
Print Name

Alabama
STATE OF ~~FLORIDA~~
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me by means
of physical presence or online notarization, this 20 day of
October, 2020, by
Thomas Boyle as Vice President
for Encompass Health.

Anne Stevenson Healy
Notary Public
My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced

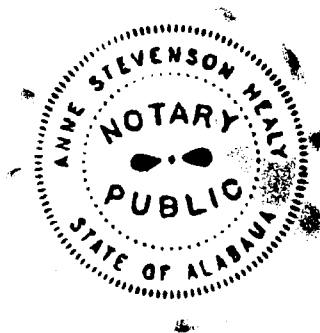
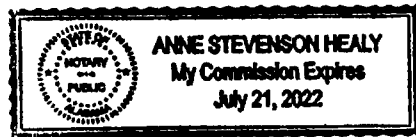


Exhibit "A"

SKETCH AND DESCRIPTION OF PROPOSED UTILITY EASEMENT

SURVEYOR'S DESCRIPTION:

A portion of Section 48, Township 7 South, Range 29 East, lying in St. Johns County, Florida, being more particularly described as follows;

COMMENCE at the Northeast corner of the lands described as "Parcel A" in Official Records Book 4985, Page 1387, of the Public Records of St. Johns County, Florida; thence South 32°31'36" East, along the Westerly Right of Way line of Silver Lane, an 80 foot right of way, a distance of 201.50 feet; thence South 55°49'13" West, a distance of 24.29 feet to the POINT OF BEGINNING.

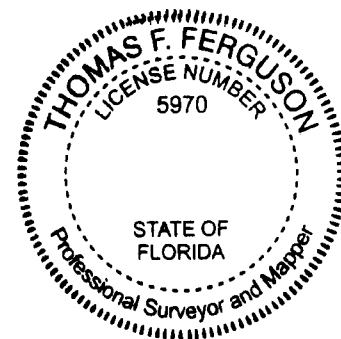
From the POINT OF BEGINNING, thence continue South 55°49'13" West, a distance of 11.32 feet; thence South 34°44'20" East, a distance of 8.57 feet; thence North 52°57'03" East, a distance of 2.19 feet; thence South 35°06'21" East, a distance of 6.03 feet; thence North 54°53'39" East, a distance of 9.00 feet; thence North 34°22'07" East, a distance of 14.34 feet to the POINT OF BEGINNING.


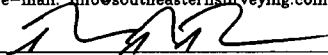
Containing 149 Square feet, more or less.

SURVEYOR'S REPORT:

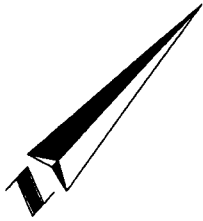
1. Bearings shown hereon are based on the Westerly Right of Way Line of Silver Lane as being South 32°31'36" East
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements of Florida Administration Code.

SURVEYOR'S SEAL:





SKETCH AND DESCRIPTION	Date: 9-15-2021 JTA	Certification Number LB2108 66499003
FOR	Job Number: J066499 Scale: 1" = 10'	 <p>SSMC™ SUE • SURVEY • GIS SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 8641 Baypine Road, Suite 5 Jacksonville, Florida 32256 (904) 737-5990 e-mail: info@southeasternsurveying.com</p>
BRASFIELD & GORRIE, LLC	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.	
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH	
		 THOMAS F. FERGUSON, PSM Registered Land Surveyor Number 5970

SKETCH AND DESCRIPTION OF PROPOSED UTILITY EASEMENT



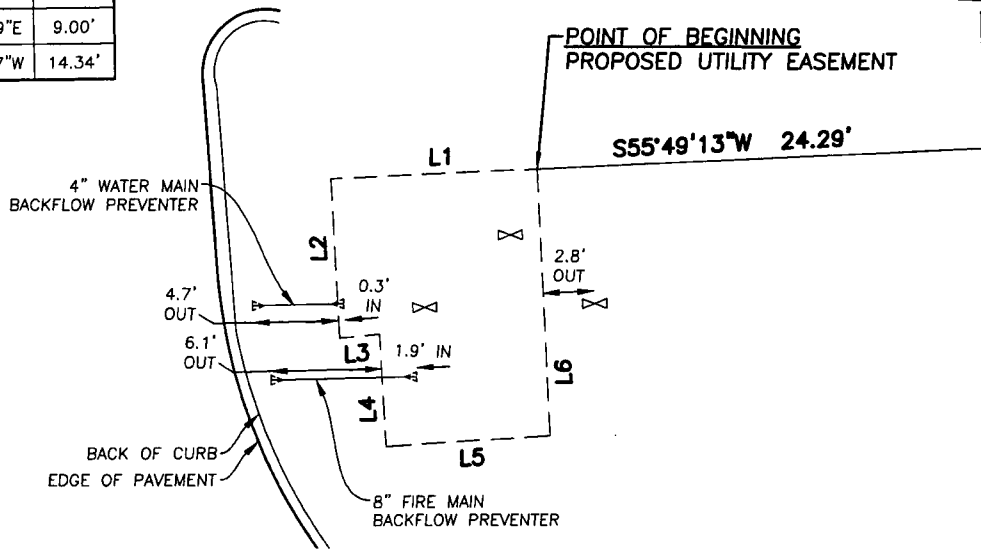
POINT OF REFERENCE
NORTHEAST CORNER OF
O.R.B. 4985 PG 1387

LEGEND:

- O.R.B. = OFFICIAL RECORDS BOOK
- PG. = PAGE
-  = VALVE
-  = BACKFLOW PREVENTER

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S55°49'13"W	11.32'
L2	S34°44'20"E	8.57'
L3	N52°57'03"E	2.19'
L4	S35°06'21"E	6.03'
L5	N54°53'39"E	9.00'
L6	N34°22'07"W	14.34'

O.R.B. 4985
PG 1387



S32°31'36"E 201.50'
 WESTERLY RIGHT OF WAY LINE OF SILVER LANE
 SILVER LANE
 (80' RIGHT OF WAY)
 O.R.B. 3935 PG. 1542 & O.R.B. 2863, PG 1339



SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
8641 Baypine Road, Suite 5
Jacksonville, Florida 32256
(904) 737-5990
Certification Number LB2108

Drawing No. 66499003
Job No. J066499
Date: 9-15-2021
SHEET 2 OF 2
See Sheet 1 for Description

THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEET 1 THROUGH 2

e-mail: info@southeasternsurveying.com



BILL OF SALE
UTILITY IMPROVEMENTS
for

Encompass Health Rehabilitation Hospital of St. Augustine

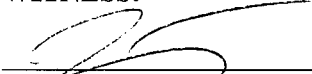
Encompass Health Rehabilitation Hospital of St. Augustine, 9001 Liberty Parkway, Birmingham, AL 35242, (the "Seller") for and in consideration of the sum of Ten and No/100 Dollars (\$10) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, 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 Encompass Health Rehabilitation Hospital of St. Augustine (*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 1 of Dec, 2021.

WITNESS:



Witness Signature

John Tschudin

Print Witness Name

OWNER:



Owner's Signature

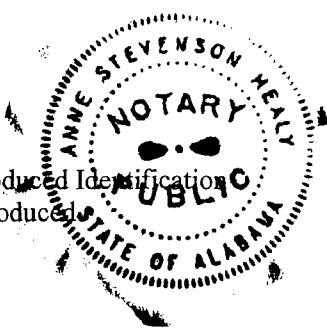
THOMAS H. BOYLE

Print Owner's Name

STATE OF ~~FLORIDA~~ Alabama
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 1st day of December, 2021, by Thomas H. Boyle as Chief Design + Construction Officer (Owner) for Encompass Health Rehabilitation Hospital of Saint Augustine Rep

Personally Known or Produced Identification
Type of Identification Produced



Anne Stevenson Healy
Notary Public
My Commission Expires: _____





St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: Encompass Health
 Contractor: Jax Dirtworks Inc
 Developer: Brasfield & Gorrie

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
4" PVC DR-18	LF	37	\$ 65.89	\$ 2,437.93
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
4" Gate Valve	Ea	3	\$ 869.30	\$ 2,607.90
8" Gate Valve	Ea	1	\$ 2,020.80	\$ 2,020.80
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Sevices (Size and Type)				
4" Meter Vault	Ea	1	\$ 6,875.00	\$ 6,875.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
Total Water System Cost				\$ 13,941.63



FINAL RELEASE OF LIEN

UTILITY IMPROVEMENTS

The undersigned lienor, in consideration of the sum \$13,941.63 hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through 12/31/2021 to Encompass Health Rehabilitation Center of St Augustine to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR ENCOMPASS HEALTH”

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 27th day of January, 2022.

WITNESS:
Tony Mauro
Witness Signature
Tony Mauro
Print Witness Name

OWNER:
Jennifer Holdeman
Lienor's Signature
Jennifer Holdeman
Print Lienor's Name

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 27 day of January, 2022, by Jennifer Holdeman as CEO for Tax Dirtworks Inc.

Meredith Kneese
Notary Public Meredith Kneese
My Commission Expires: 5/3/2025

Personally Known or Produced Identification
Type of Identification Produced

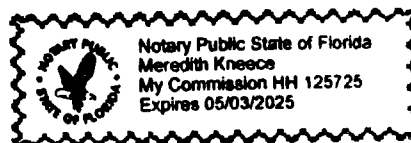


Exhibit "A" to Final Release of Lien



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: Encompass Health
 Contractor: Jax Dirtworks Inc
 Developer: Brasfield & Gorrie

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
4" PVC DR-18	LF	37	\$ 65.89	\$ 2,437.93
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
4" Gate Valve	Ea	3	\$ 869.30	\$ 2,607.90
8" Gate Valve	Ea	1	\$ 2,020.80	\$ 2,020.80
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Sevices (Size and Type)				
4" Meter Vault	Ea	1	\$ 6,875.00	\$ 6,875.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
Total Water System Cost				\$ 13,941.63



WARRANTY
UTILITY IMPROVEMENTS

Date: 10/19/2021
Project Title: Encompass Health
St. Johns County, Florida

FROM: Jax Dirtworks Inc
310 Mealy Drive
Atlantic Beach, FL 32233

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:

Contractor's Signature

Print Contractor's Name

STATE OF FLORIDA
COUNTY OF FL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of JANUARY, 2022, by Jennifer Hildeman as (EO) for Jax Dirtworks Inc.

Notary Public

My Commission Expires: 10/29/2024

Personally Known or Produced Identification
Type of Identification Produced

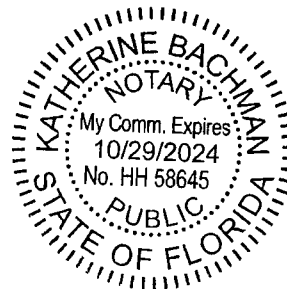




Exhibit "E" to Resolution

St. Johns County Board of County Commissioners

Utility Department

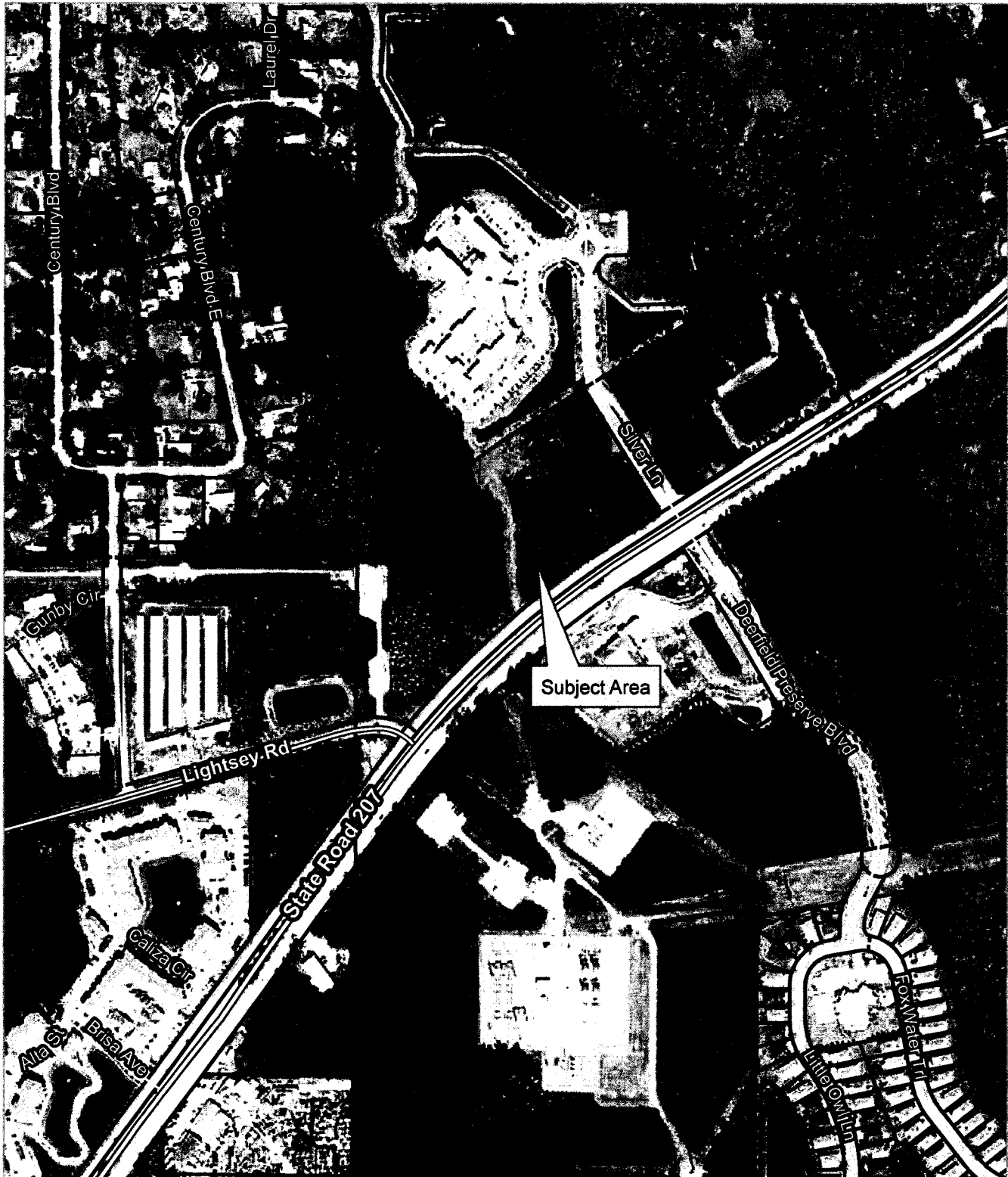
INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Encompass Health Rehabilitation Hospital of St. Augustine
DATE: March 23, 2022

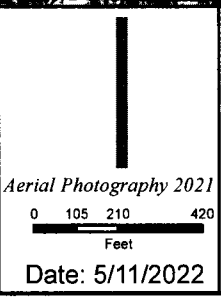
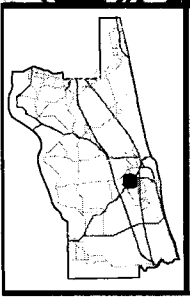
Please present the Easement, Bill of Sale, Schedule of Values, Release of Lien, and Warranty to the Board of County Commissioners (BCC) for final approval and acceptance of Encompass Health Rehabilitation Hospital of St. Augustine.

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.



Subject Area



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

Encompass Health Rehabilitation
Hospital of St. Augustine, LLC

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.

