

RESOLUTION NO. 2022- 242

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH THE WATER SYSTEM TO SERVE 1720 LIGHTSEY ROAD.

RECITALS

WHEREAS, certain owners have executed and presented to the County an Easement for Utilities associated with the water system to serve 1720 Lightsey Road, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, WHEREAS, St. Johns County Utility Department has reviewed and approved the Easement for Utilities, as stated in a memo attached hereto as Exhibit "B," 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 attached and incorporated hereto, is 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 in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 19 day of July, 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

Paul Halterman
Deputy Clerk

Rendition Date 7/21/22

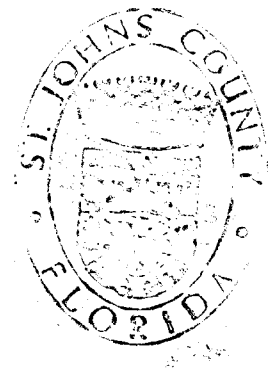


Exhibit "A" to Resolution

Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 14th day of May, 2022 by **WILLIAM R. COOK and SHARON R. COOK**, his wife, with an address of 1720 Lightsey Rd., St. Augustine, FL 32084, 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, alienate, 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 and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water 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. This easement is for water 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 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 serviced by the utility system.

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 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:

Mason
Witness Signature

By: William R Cook
William R. Cook

Nico Diaz
Print Name

[Signature]
Witness Signature

By: Sharon R Cook
Sharon R. Cook

Ashleigh Macneair
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 14th day of May, 2022, by William R. Cook and Sharon R. Cook, who are personally known to me or has produced FLDL S as identification.

(Notary Seal)

Notary Public: [Signature]
My Commission Expires: 06/28/2025

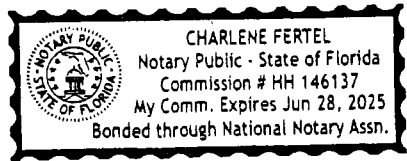


EXHIBIT "A"

EASEMENT AREA

A 10.00 FOOT STRIP OF LAND LYING IMMEDIATELY ADJACENT TO AND RUNNING PARALLEL WITH THE NORTH LINE OF LIGHTSEY ROAD, SAID STRIP OF LAND BEING THE SOUTH 10.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, BEING KNOWN AND DESIGNATED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 1, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE RUN N 01 DEGREES 14 MINUTES 47 SECONDS E, ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1, 775.42 FEET TO THE NORTH RIGHT OF WAY OF LIGHTSEY ROAD; THENCE RUN S 72 DEGREES 41 MINUTES 01 SECONDS W, 129.56 FEET; THENCE RUN S 56 DEGREES 23 MINUTES 17 SECONDS W ALONG SAID ROAD, 135 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE TO RUN S 56 DEGREES 23 MINUTES 17 SECONDS W, 135 FEET; THENCE RUN N 33 DEGREES 36 MINUTES 43 SECONDS W, 323 FEET; THENCE RUN N 56 DEGREES 23 MINUTES 17 SECONDS E, 135 FEET; THENCE RUN S 33 DEGREES 36 MINUTES 43 SECONDS E, 323 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 101250-0100



St. Johns County Board of County Commissioners

Utility Department

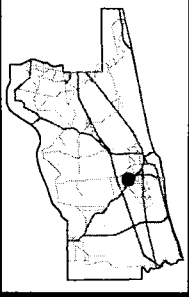
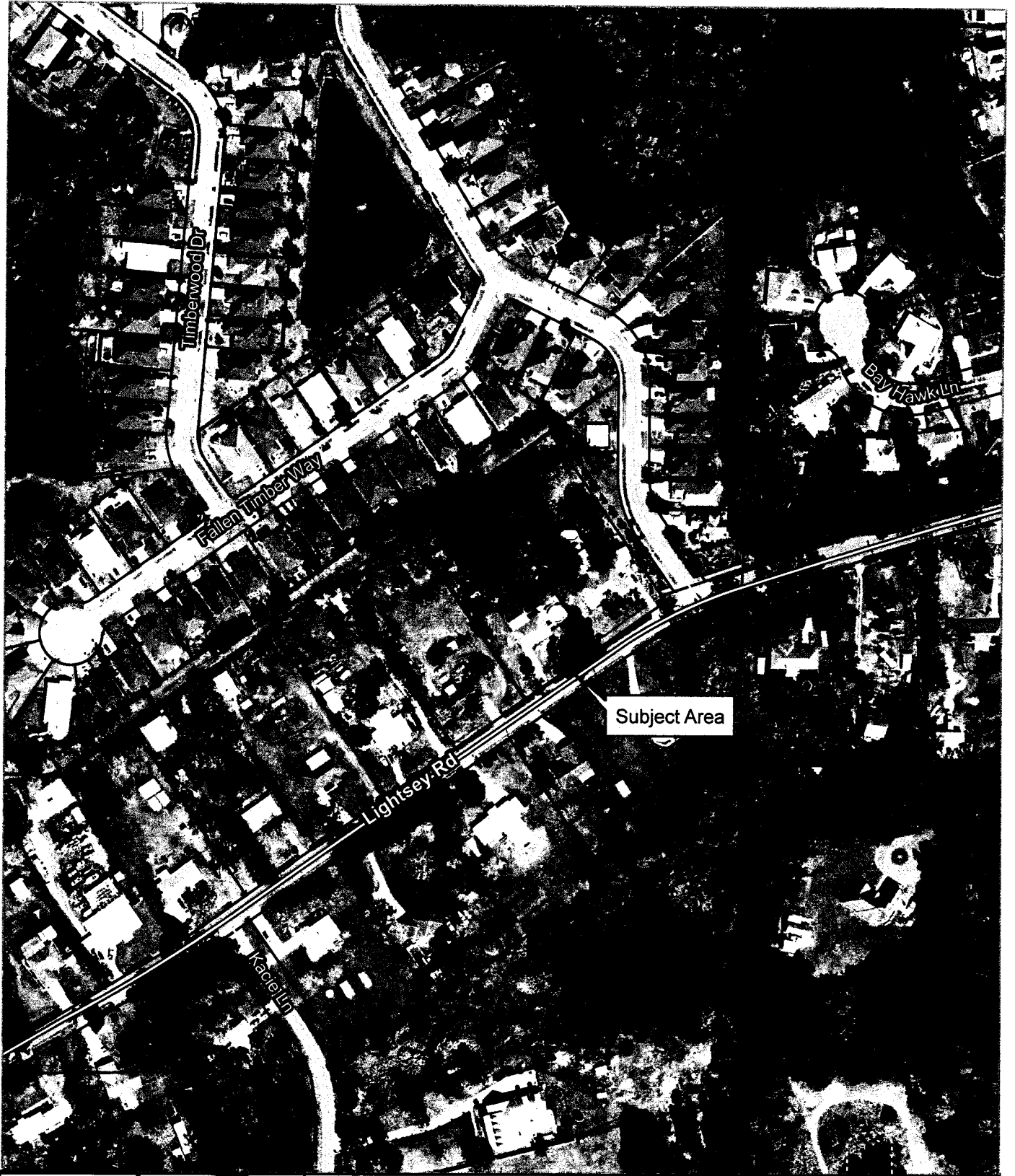
INTEROFFICE MEMORANDUM

TO: Jessica Getchius, Real Estate Coordinator
FROM: Missy Caraway, Utility Review Coordinator
SUBJECT: Lightsey Road (Cook)- Easement for Utilities
DATE: June 17, 2022

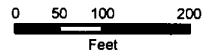
Please present this Easement for Utilities to the Board of County Commissioners (BCC) for final approval and acceptance.

After acceptance by the 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



Date: 6/17/2022

Easement for Utilities
1720 Lightsey Road

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.

