

RESOLUTION NO. 2022- 59

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 PARCELS LOCATED ON BANNON SHOPS DRIVE AT THE CORNER OF INTERNATIONAL GOLF PARKWAY AND PARKLAND TRAIL.

RECITALS

WHEREAS, RREF III-P-EP Oak Forest, LLC, a Delaware limited liability company, has executed and presented to the County an Easement for Utilities associated with the water system to serve Parcels located on Bannon Shops Drive at the corner of International Golf Parkway and Parkland Trail, attached hereto as Exhibit "A", 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 "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, scriyeners 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 file the Easement for Utilities in the Public Records of St. Johns County, Florida.


PASSED AND ADOPTED this 1 day of March, 2022.

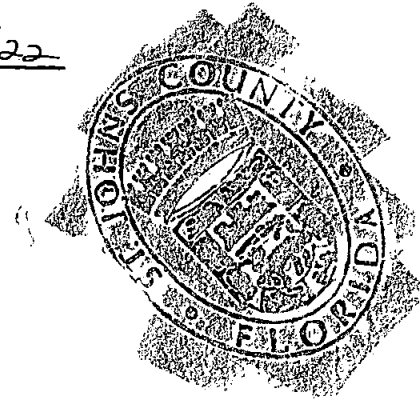
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: 
Henry Dean, Chair

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

Rendition Date 3/3/22


Deputy Clerk



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 6th day of April, 2021, by **RREF III-P-EP OAK FOREST, LLC**, a Delaware limited liability company, with an address of 200 South Biscayne Boulevard, Suite 3550, Miami, Florida 33131, 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 and reuse 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. (a) 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. The easement granted by this instrument shall run with the land. 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.

WITNESSES:

[Signature]
(Sign on this line.)
Galaxia Marquez
(Print name legibly on this line.)

[Signature]
(Sign on this line.)
Chris Bianculli
(Print name legibly on this line.)

RREF III-P-EP OAK FOREST, LLC, a Delaware limited liability company

By: RREF III-P-EP BANNON LAKES JV, LLC, a Delaware limited liability company, its Sole Member

By: RREF III-P-EP BANNON LAKES JV MEMBER, LLC, a Delaware limited liability company, its Manager

By: [Signature]
Name: Sorana Georgescu
Title: Secretary

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization this 6th day of April, 2021, by Sorana Georgescu, as Secretary of RREF III-P-EP BANNON LAKES JV MEMBER, LLC, a Delaware limited liability company, as Manager of RREF III-P-EP BANNON LAKES JV, LLC, a Delaware limited liability company, as Sole Member of **RREF III-P-EP OAK FOREST, LLC**, a Delaware limited liability company, on behalf of the limited liability companies, who is personally known to me or has produced _____ as identification.

[Signature]
(Sign on this line)
Galaxia Marquez
(Legibly print name on this line)

NOTARY PUBLIC, State of _____
COMMISSION NO.: _____
EXPIRATION DATE: _____

(SEAL)

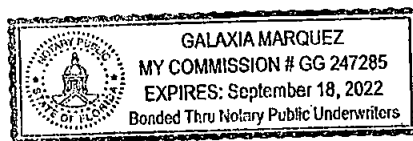


EXHIBIT "A"
EASEMENT AREA

A PORTION OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF INTERNATIONAL GOLF PARKWAY (ALSO KNOWN AS NINE MILE ROAD, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78080-2431, DATED 9-15-89), AND THE EASTERLY LINE OF PARKLAND TRAIL (A VARIABLE WIDTH PRIVATE R/W PER OFFICIAL RECORDS BOOK 3510, PAGE 1291, OF THE PUBLIC RECORDS OF SAID ST JOHNS COUNTY); THENCE SOUTH 79°53'02" EAST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF AFORESAID INTERNATIONAL GOLF PARKWAY, 30.51 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 79°53'02" EAST, ALONG LAST SAID LINE, 18.63 FEET; THENCE NORTH 04°05'02" EAST, 24.39 FEET; THENCE NORTH 39°10'58" WEST, 32.27 FEET, TO THE EASTERLY LINE OF THOSE LANDS DESIGNATED S.J.C.U.D. UTILITY EASEMENT NO. 1, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4386, PAGE 779, OF SAID PUBLIC RECORDS; THENCE SOUTH 00°23'25" EAST, ALONG LAST SAID LINE, 46.08 FEET, TO THE POINT OF BEGINNING.

CONTAINING 692 SQUARE FEET, MORE OR LESS.

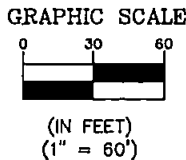
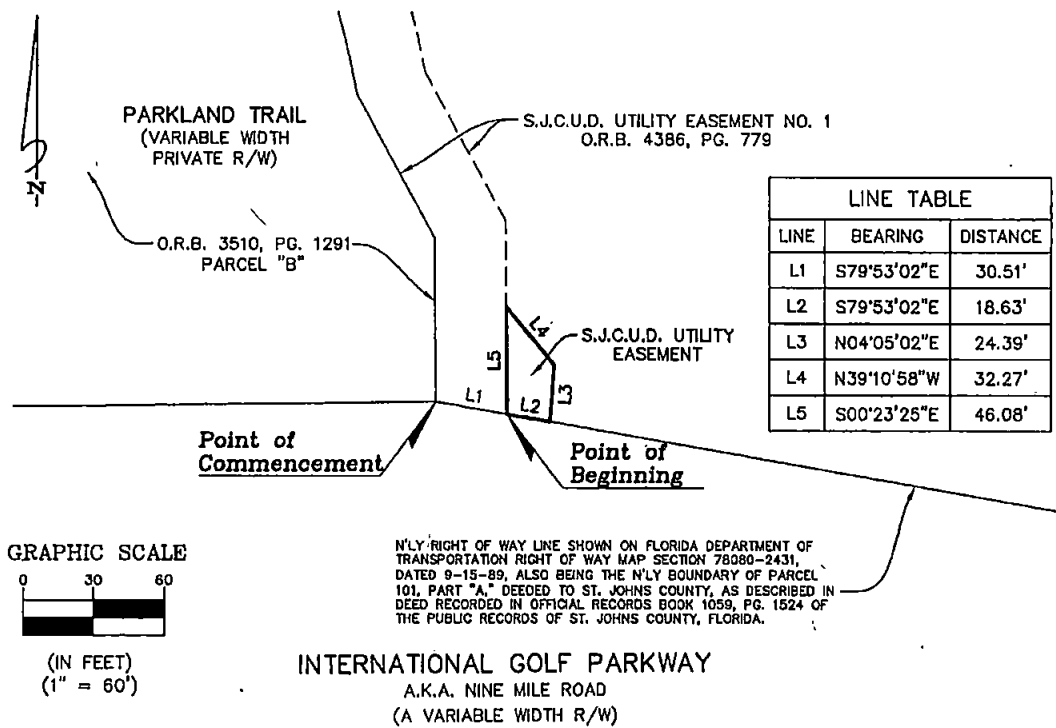
MAP SHOWING

S.J.C.U.D. UTILITY EASEMENT

A PORTION OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF INTERNATIONAL GOLF PARKWAY (ALSO KNOWN AS NINE MILE ROAD, A VARIABLE WIDTH RIGHT OF WAY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78080-2431, DATED 9-15-89), AND THE EASTERLY LINE OF PARKLAND TRAIL (A VARIABLE WIDTH PRIVATE R/W PER OFFICIAL RECORDS BOOK 3510, PAGE 1291, OF THE PUBLIC RECORDS OF SAID ST JOHNS COUNTY); THENCE SOUTH 79°53'02" EAST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF AFORESAID INTERNATIONAL GOLF PARKWAY, 30.51 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 79°53'02" EAST, ALONG LAST SAID LINE, 18.63 FEET; THENCE NORTH 04°05'02" EAST, 24.39 FEET; THENCE NORTH 39°10'58" WEST, 32.27 FEET, TO THE EASTERLY LINE OF THOSE LANDS DESIGNATED S.J.C.U.D. UTILITY EASEMENT NO. 1, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4386, PAGE 779, OF SAID PUBLIC RECORDS; THENCE SOUTH 00°23'25" EAST, ALONG LAST SAID LINE, 46.08 FEET, TO THE POINT OF BEGINNING.

CONTAINING 692 SQUARE FEET, MORE OR LESS.



N'LY RIGHT OF WAY LINE SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78080-2431, DATED 9-15-89, ALSO BEING THE N'LY BOUNDARY OF PARCEL 101, PART "A," DEEDED TO ST. JOHNS COUNTY, AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 1059, PG. 1524 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

GENERAL NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE N'LY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 78080-2431, AS N79°53'02"W, PER THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM 1983/1990 ADJUSTMENT.
- THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
- HIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
- CROSS REFERENCE: SURVEYS BY CLARY & ASSOCIATES FILE NO. T6S-321B, & T6S-1003.
- THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THEREFORE, THERE MAY BE ADDITIONAL EASEMENTS, COVENANTS AND RESTRICTIONS, OR OTHER MATTERS OF PUBLIC RECORD NOT SHOWN HEREON THAT MAY AFFECT THIS PARCEL.

LEGEND

- R/W = RIGHT OF WAY
- A.K.A. = ALSO KNOWN AS
- F.P. = FINANCIAL PROJECT
- NO. = NUMBER
- O.R.B. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- S.J.C.U.D. = ST. JOHNS COUNTY UTILITY DEPARTMENT

S.J.C.U.D. UTILITY EASEMENT

JOB NO. ---	THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE 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.
DRAFTER ---	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 5J-17, FLORIDA ADMINISTRATIVE CODE).
DATE ---	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.
SCALE 1"=	<p>PROFESSIONAL SURVEYORS & MAPPERS LB NO. 3731 3230 CROWN POINT ROAD JACKSONVILLE, FLORIDA 32257 (904) 250-2703 WWW.CLARYASSOC.COM</p>
CHECKED BY: MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788	



Exhibit "B" 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: Corner of IGP and Parkland Trail
DATE: August 17, 2021

Please present the Easement to the Board of County Commissioners (BCC) for final approval and acceptance of corner of IGP and Parkland Trail.

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 33,756,750 135,000
 Feet
 Date: 2/1/2022

Easement for Utilities
 IGP & Parkland Trail

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.

