

RESOLUTION NO. 2023- 7

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES, FINAL RELEASE OF LIEN AND WARRANTY ASSOCIATED WITH THE WATER AND REUSE SYSTEMS TO SERVE WENDY’S BEACHWALK LOCATED OFF COUNTY ROAD 210 W.**

**RECITALS**

**WHEREAS**, Restaurant Holdings, LLC, a Michigan limited liability company, has executed and presented to the County a Bill of Sale and Schedule of Values, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, conveying all personal property associated with the water and reuse systems to serve Wendy’s Beachwalk located off County Road 210 W; and

**WHEREAS**, Owen Development Group, LLC, a Florida limited liability company, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Wendy’s Beachwalk, attached hereto as Exhibits “B” and “C”, 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 “D”, 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.

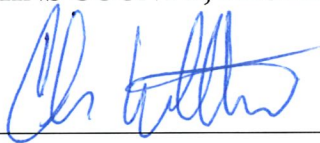
Section 2. The above described Bill of Sale and Schedule of Values, Final Release of Lien, and Warranty, attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

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 Court is instructed to record the original 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 17th day of January, 2023.

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

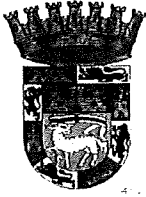
By:   
Christian Whitehurst, Chair

Rendition Date JAN 17 2023

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

  
Deputy Clerk





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

Wendy's Beachwalk

**RESTAURANT HOLDINGS, LLC**, whose address is 45 Ottawa Avenue SW, Suite 600, Grand Rapids, MI 49503 (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 Wendy's Beachwalk

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 14th day of January, 2022.

**WITNESS:**

*Ana Pelhank*  
Witness Signature

Ana Pelhank  
Print Witness Name

**OWNER:** RESTAURANT HOLDINGS, LLC

*[Signature]*  
Owner's Signature

By: Robert E. Schermer, Jr., Manager  
Robert E. Schermer, Jr.  
Print Owner's Name

STATE OF MICHIGAN  
COUNTY OF KENT

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 14th day of January, 2022, ~~2021~~ by Robert E. Schermer, Jr. as Manager for Restaurant Holdings, LLC, a Michigan limited liability company, on behalf of the company.

*[Signature]*  
Notary Public, Allegan County, MI  
My Commission Expires: 06/21/2022

Personally Known or Produced Identification  
Type of Identification Produced

TRACEY L. WARNER, Notary Public  
State of Michigan, County of Allegan  
My Commission Expires 06/21/2022  
Acting in the County of Kent



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

Project Name: Wendy's Beachwalk  
 Contractor: Owen Development Group  
 Developer: Meritage

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Reuse Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Reuse Valves (Size and Type)</b>				
2" Gate Valve	Ea	1	\$ 298.53	\$ 298.53
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Sevices (Size and Type)</b>				
1" Poly	Ea	1	\$ 418.47	\$ 418.47
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Total Reuse System Cost</b>				<b>\$ 717.00</b>



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

Project Name: Wendy's Beachwalk  
 Contractor: Owen Development Group  
 Developer: Meritage

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Water Valves (Size and Type)</b>				
2" Gate Valve	Ea	1	\$ 298.53	\$ 298.53
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Hydrants Assembly (Size and Type)</b>				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
1.5" Poly	Ea	1	\$ 765.05	\$ 765.05
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
<b>Total Water System Cost</b>				<b>\$ 1,063.58</b>

Exhibit "B" to the Resolution



**FINAL RELEASE OF LIEN**

**UTILITY IMPROVEMENTS**

The undersigned lienor, in consideration of the sum \$1,780.58 (One Thousand Seven Hundred Eighty and 58/100 Dollars) hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through 1/14/2022 to RESTAURANT HOLDINGS, LLC to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR Wendy's Beachwalk

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 24th of January, 2022 .

**WITNESS:**

S. S. Shahani  
Witness Signature

Sonia S. Shahani  
Print Witness Name

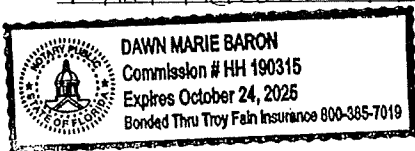
**OWNER:** Owen Development Group, LLC

Charles Owen  
Lienor's Signature

Charles Owen  
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 24 day of January, 2022, by Charles Wesley Owen as owner for Final Release of Lien.



Dawn Marie Baron  
Notary Public  
My Commission Expires: October 24, 2025

Personally Known or Produced Identification   
Type of Identification Produced  
Florida Drivers license



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

Project Name: Wendy's Beachwalk  
 Contractor: Owen Development Group  
 Developer: Meritage

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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<b>Total Reuse System Cost</b>				<b>\$ 717.00</b>



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

Project Name: Wendy's Beachwalk  
 Contractor: Owen Development Group  
 Developer: Meritage

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
<b>Total Water System Cost</b>			\$	<b>1,063.58</b>



**WARRANTY**  
**UTILITY IMPROVEMENTS**

Date: 1/13/2022  
Project Title: Wendy's Beachwalk  
St. Johns County, Florida


FROM: Owen Development Group, LLC  
895 W. American Eagle Dr.  
St. Augustine, FL 32092

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.

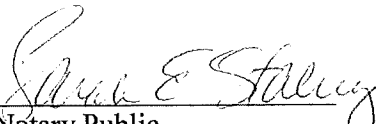
**Contractor:**

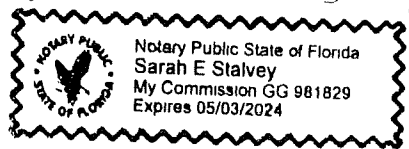
 OWNER/MANAGER  
Contractor's Signature

Charles Owen  
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 13<sup>th</sup> day of January, 2021, by Charles Owen as owner/manager for Owen Development Group LLC.

  
Notary Public  
My Commission Expires: 5-3-24



Personally Known or Produced Identification  
Type of Identification Produced



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

Utility Department

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INTEROFFICE MEMORANDUM

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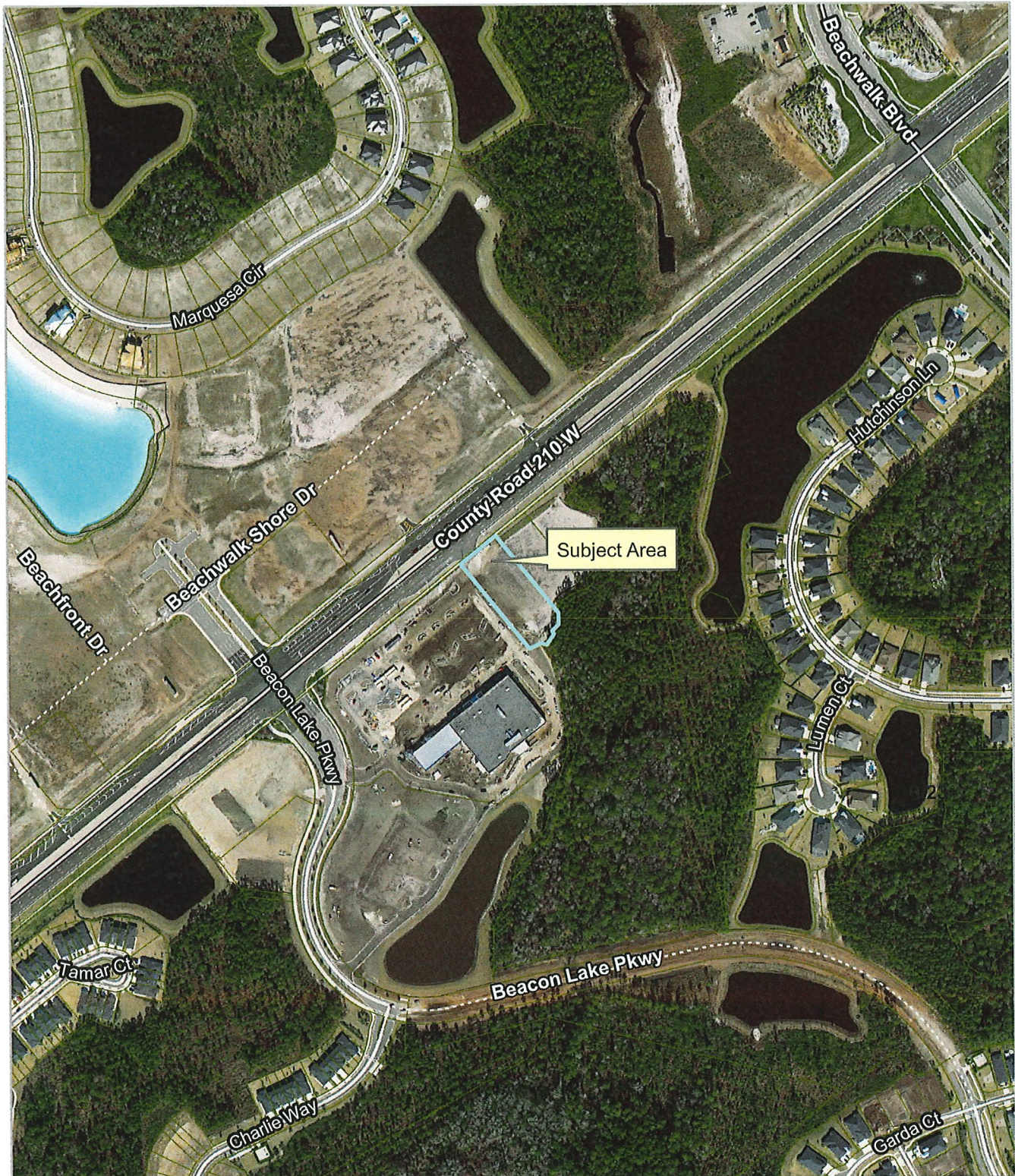
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TO: Debbie Taylor, Real Estate Manager  
FROM: Melissa Caraway, Utility Review Coordinator  
SUBJECT: Wendy's Beachwalk  
DATE: March 24, 2022

Please present the Bill of Sale, Schedule of Values, Release of Lien, and Warranty to the Board of County Commissioners (BCC) for final approval and acceptance of Wendy's Beachwalk.

After acceptance by BCC, please provide the Utility Department with a copy of the executed resolution for our files.

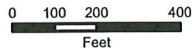
Your support and cooperation as always are greatly appreciated.



Subject Area



2021 Aerial Imagery



Date: 12/1/2022

Bill of Sale, Schedule of Values,  
Final Release of Lien & Warranty

Wendy's Beachwalk

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.

