RESOLUTION NO: 93 -- 20

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A DEED OF EASEMENT FROM THE COUNTY TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY.

WHEREAS, it is necessary for St. Johns County to grant an easement as described in Deed of Easement attached hereto as Exhibit A and made a part hereof, to Southern Bell Telephone and Telegraph Company for the placement of additional equipment in Cypress Lakes Subdivision to handle expansion of telephone lines; and

WHEREAS, it is in the best interest of St. Johns County and the public to grant the easement to Southern Bell Telephone and Telegraph Company for the use and benefit of the Southern Bell Telephone and Telegraph Company.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA as follows:

1. A Deed of Easement in substantially the form attached hereto as Exhibit A in favor of the Southern Bell Telephone and Telegraph Company shall be executed by the Chairman of the Board of County Commissioners and forwarded to Southern Bell Telephone and Telegraph Company, in care of Volt Industries, contracting agents for Southern Bell Telephone and Telegraph Company, along with a certified copy of this resolution, by registered mail to the attention of Linda Jones, Right of Way Agent, 1851 Executive Center Drive, Suite 200, Jacksonville, Florida, 32207.

2. The Deed of Easement shall be duly recorded by Southern Bell Telephone and Telegraph Company in the official public records of St. Johns County, Florida.

PASSED AND ADOPTED this 9 day February, 1993.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]
Its Chairman

ATTEST: Carl "Bud" Markel, Its Clerk

By: [Signature]
Deputy Clerk
DEED OF EASEMENT

St. Johns County, Florida, owner of the premises and herein described ("Grantor"), for and in consideration of $10.00 and other good and valuable consideration, the adequacy and receipt of which are acknowledged, hereby grants, sells and conveys to Southern Bell Telephone and Telegraph Company, a Georgia Corporation authorized to do business in Florida, whose post office address is 20A53 Southern Bell Center, Atlanta, Georgia, 30375, its successors, assigns and affiliated and associated companies ("Grantee"), an exclusive easement for the construction, operation and maintenance of telecommunications electrical equipment structures and associated cables, as well as appurtenant facilities reasonably required for the support, use, operation and maintenance of such equipment structures to be installed from time to time with the right to reconstruct, improve, add to, enlarge and remove the same on, in or over the premises described in the attached Exhibit "A", which is incorporated by reference and made a part hereof.

Grantee shall have the right of ingress, egress, and regress to and upon said Premises at all times for the purposes of installing, constructing, operating, inspecting, and maintaining its facilities. The Grantee shall have the right to clear and keep the premises clear of all trees, undergrowth, or other obstructions and trim, cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside the premises which might interfere with the lines or systems of communication or electric power serving the Grantee, as permitted by the County tree clearing ordinance #90-11.

The grant of this Easement shall in no way restrict the right and interest of the Grantor in the use, maintenance and quiet enjoyment of the Premises to the extent that such uses do not interfere with the rights granted herein. Any ad valorem taxes accruing from Grantee's improvements shall be chargeable to and paid by Grantee when due if separately assessed by the taxing authority as the personal or real property of Grantee. The Grantee shall be liable for personal injuries and damage to real or personal property that may result from its use of the Premises, and shall indemnify the Grantor in the event Grantor is required to pay any claim arising from said use by Grantee.

This Easement shall run with the land in perpetuity and shall be binding on and shall inure to the benefits of the parties hereto, their successors or assigns.
IN WITNESS WHEREOF, the undersigned Grantor has executed this Deed of Easement, this 9th day of February 1993.

Signed, Sealed and Delivered in the presence of:

[Signature]

Witness

[Signature]

By: [Signature]

Notary Public, State of Florida

Print Name: [Name]

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]

Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: [Signature]


THE FOREGOING INSTRUMENT was acknowledged before me on February 9, 1993, by Linda Balsavage, as Chairman, who is personally known to me or who has produced as identification and (did) (did not) take an oath.

[Signature]

Notary Public, State of Florida

Print Name: [Name]


THE FOREGOING INSTRUMENT was acknowledged before me on February 17, 1993, by Amy Bennett, Deputy Clerk who is personally known to me or who has produced as identification and (did) (did not) take an oath.

[Signature]

Notary Public, State of Florida

Print Name: [Name]
A SEQUENCE OF EVENTS OCCURRED IN A CERTAIN ORDER TO DETERMINE A POINT OF REFERENCE NEAR THE CENTERLINE OF MATANZAS WOODS FLARE (BLUE SKY) STREET. THE POINT OF BEGINNING WAS DETERMINED BY A MEASURED DISTANCE FROM A known point. THE PLAT OF MATANZAS WOODS (BLUE SKY) STREET SHOWS THE CENTERLINE OF THE ROAD AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THE SURVEYER DETERMINED THE Bearing and Distance TO THE NEXT POINT. THE POINTS WERE THEN CONNECTED TO FORM THE CENTERLINE OF THE ROAD. THE POINTS WERE DETERMINED BY MEASURING THE DISTANCE AND DIRECTIONS FROM THE POINT OF BEGINNING.

NOTES:
1. THE DRAWING SHOWN HEREIN REFER TO THE BEARING OF 87° 10' 42" W FOR THE CENTERLINE OF MATANZAS WOODS FLARE (BLUE SKY) STREET AS SHOWN ON PLAT OF MATANZAS WOODS FLARE (BLUE SKY) STREET.
2. ALL POINTS SHOWN ON THE PLAT.

LEGEND:
- DENOTES CENTERLINE
- DENOTES RIGHT OF WAY
- DENOTES ARC LENGTH
- DENOTES DISTANCE
- DENOTES CENTERLINE
- R.B. DENOTES OFFICIAL RECORDS BOOK
- DENOTES RADIUS
- DENOTES DELTA ANGLE

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE BELOW SIGNED.

I HEREBY CERTIFY THAT THE ABOVE WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THE IS ARE LOCATED UPON SAME AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY, EXCEPT AS SHOWN.

FLOOD CERTIFICATE: THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS SHOWN TO BE IN A FLOOD HAZARD ZONE AS PER FIRM MAPS.

CERTIFICATE: THIS SURVEY COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 322.027, FLORIDA STATUTES.

SIGNATURE:

DATE: 5 JAN 1993

SCALE: 1" = 10'