

RESOLUTION NO. 95-43

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING THE EXECUTION OF A CERTAIN GRANT OF EASEMENT FROM ST. JOHNS COUNTY TO INTERCOASTAL UTILITY, INC.

WHEREAS, it is in the best interest of St. Johns County to grant the easement as described in the Grant of Easement attached hereto as Exhibit A incorporated by reference and made a part hereof, to Intercoastal Utility, Inc. for the installation and maintenance of future utility lines and pipes including force mains; and

WHEREAS, said Grant of Easement is to be made in accordance with the requirements of Section 125.35(2) Florida Statutes to wit: the subject easement has been valued at less than \$5,000 by the St. Johns County Property Appraiser, and all adjacent owners of property have been notified by certified mail and have not objected within the allowed time; and

WHEREAS, as payment for said Grant of Easement, Intercoastal Utility, Inc. agrees, at no further cost to the County, to permit the County to tie into and have access to said force mains and will provide a fitting "T" connection and duplex step tank for such tie in of County recreational park facilities upon their development.

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

1. The County Administrator is authorized to execute the Grant of Easement in substantially the form attached hereto as Exhibit A in favor of Intercoastal Utility, Inc. upon receipt of a properly executed document establishing that entity's agreement and acceptance of the terms of such easement.

2. The Clerk is instructed to record the Grant of Easement in the official public records of St. Johns County, Florida, and forward a copy of the recorded Easement and a certified copy of this Resolution to Intercoastal Utility, Inc.

PASSED AND ADOPTED this 28 day of February, 1995.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Barbara Ward
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: Anna Ratti
Deputy Clerk

GRANT OF EASEMENT

THIS INDENTURE, made this ___ day of _____, 1995, between ST. JOHNS COUNTY, a political subdivision of the State of Florida, party of the first part, whose address is P.O. Drawer 349, St. Augustine, FL 32085-0349, and INTERCOASTAL UTILITIES, INC. party of the second part, whose address is 1300 Gulf Life Drive 6th Floor, Jacksonville, FL 32202.

W I T N E S S E T H:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), to it in hand paid by the party of the second part, its successors and assigns forever, a non-exclusive easement with the right, privilege and authority to said party of the second part, its successors and assigns, to construct, operate, lay, maintain, improve and/or repair subsurface and associated equipment for drainage, sewer, water, other public utilities, or quasi-utilities, across or under the following described land situate in St. Johns County, Florida, to wit:

SEE ATTACHMENT "A"

TOGETHER, with the right of said party of the second part, its successors and assigns, of ingress and egress, to and over said above described premises, and for installing and maintaining subsurface utility lines, together also with the right and easement privileges and appurtenances in and to said land which may be required for the enjoyment of the rights herein granted. Provided that by acceptance and use of this easement, the party of the second part agrees it shall hold harmless the party of the first party for any damage it incurs by exercise of rights under this easement, and

FURTHERMORE, as consideration for this easement and its use of easement that party of the second part shall provide party of the first part, at its request, access and the right to connect to any force main that will be installed within the described easement and will at time of the party of the first part's exercise of rights under this easement provide, for use of the party of the first part, a fitting "T" connection and duplex step tank for the recreational park upon its development without payment of any consideration to the party of the second part other than provided by this Grant of Easement. Failure of said consideration shall render this Grant of Easement revocable by the party of the first part.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its authorized officers and its seal affixed the day and year above written.

Signed, sealed and delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

(sign) _____
(print) _____

By: _____
Nicholas M. Meiszer
County Administrator
P.O. Drawer 349
St. Augustine, FL 32085-0349

(sign) _____
(print) _____

ATTEST: CARL "BUD" MARKEL, CLERK

By: _____

STATE OF FLORIDA

COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Nicholas M. Meiszer and Carl "Bud" Markel and well known to me to be the County Administrator and County Clerk respectively, of St. Johns County, a political subdivision of the State of Florida, and that they severally acknowledged executing the foregoing instrument freely and voluntarily under authority vested in them by St. Johns County.

WITNESS my hand and seal this _____ day of _____, 1995.

Notary Public State of Florida

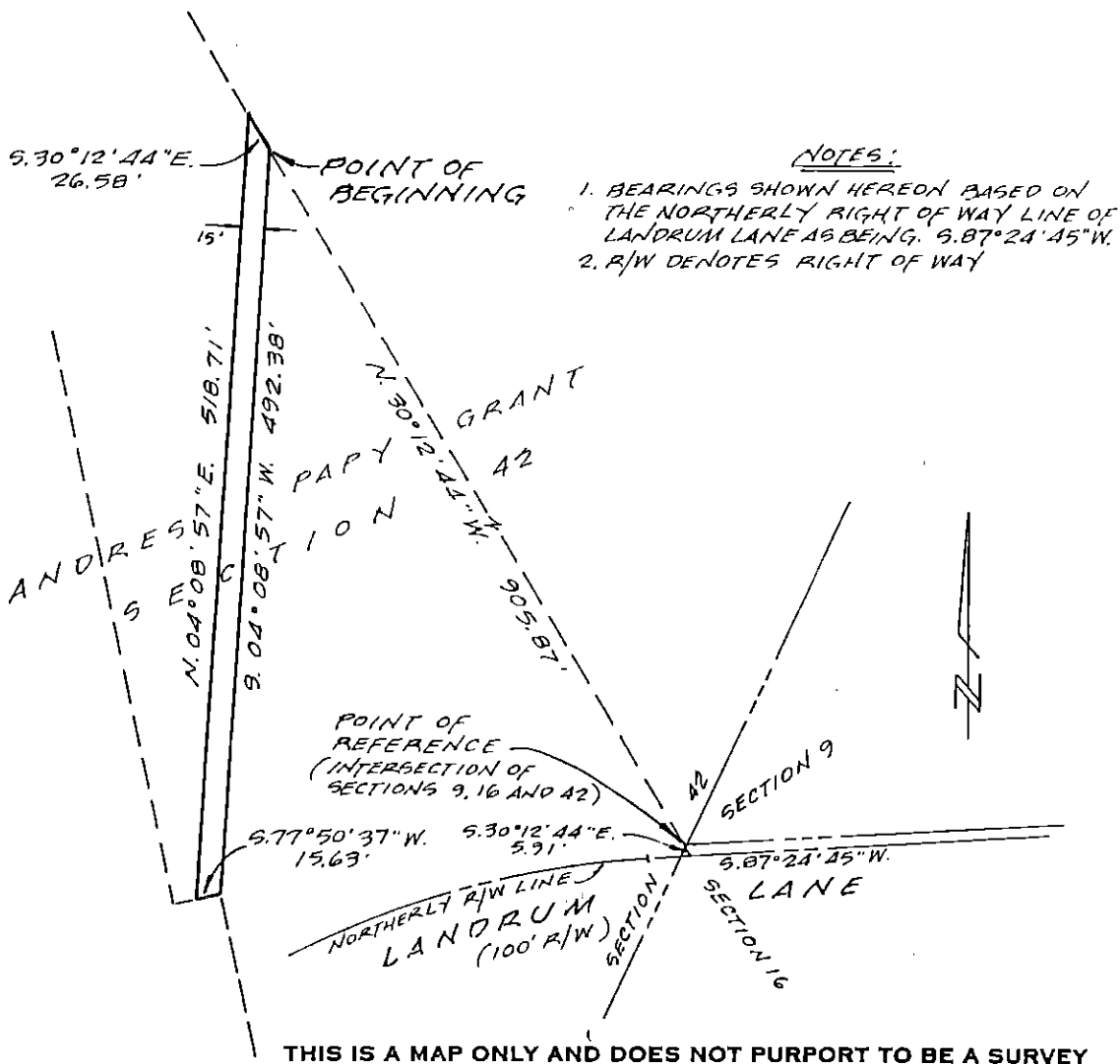
My Commission Expires:

MAP OF

15 FOOT WIDE UTILITY EASEMENT

PART OF THE ANDRES POPY GRANT, SECTION 42, TOWNSHIP 4 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF SECTIONS 9, 16 AND SAID SECTION 42 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 30°12'44" WEST, A DISTANCE OF 905.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 04°08'57" WEST, A DISTANCE OF 492.38 FEET; THENCE SOUTH 77°50'37" WEST, A DISTANCE OF 15.63 FEET; THENCE NORTH 04°00'57" EAST, A DISTANCE OF 518.71 FEET; THENCE SOUTH 30°12'44" EAST, A DISTANCE OF 26.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.17 ACRES MORE OR LESS.



NOTES:
 1. BEARINGS SHOWN HEREON BASED ON THE NORTHERLY RIGHT OF WAY LINE OF LANDRUM LANE BEING $S. 87^{\circ}24'45'' W.$
 2. R/W DENOTES RIGHT OF WAY

THIS IS A MAP ONLY AND DOES NOT PURPORT TO BE A SURVEY

**NORTH
 EAST
 FLORIDA
 SURVEYORS**

A subsidiary of
 Besant, Hammock & Ruckman, Inc.
 1900 Corporate Square Blvd.
 Jacksonville, Florida 32216
 (904) 721-3066

I HEREBY CERTIFY THAT THIS MAP MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE.

Carl J. Schellhase
 CARL J. SCHELLHASE FLA. P.L.S. CERT. NO. 8021

DATED: JANUARY 4, 19 95

SCALE: 1" = 100'

THIS MAP NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.

REQ. No. 92247.01

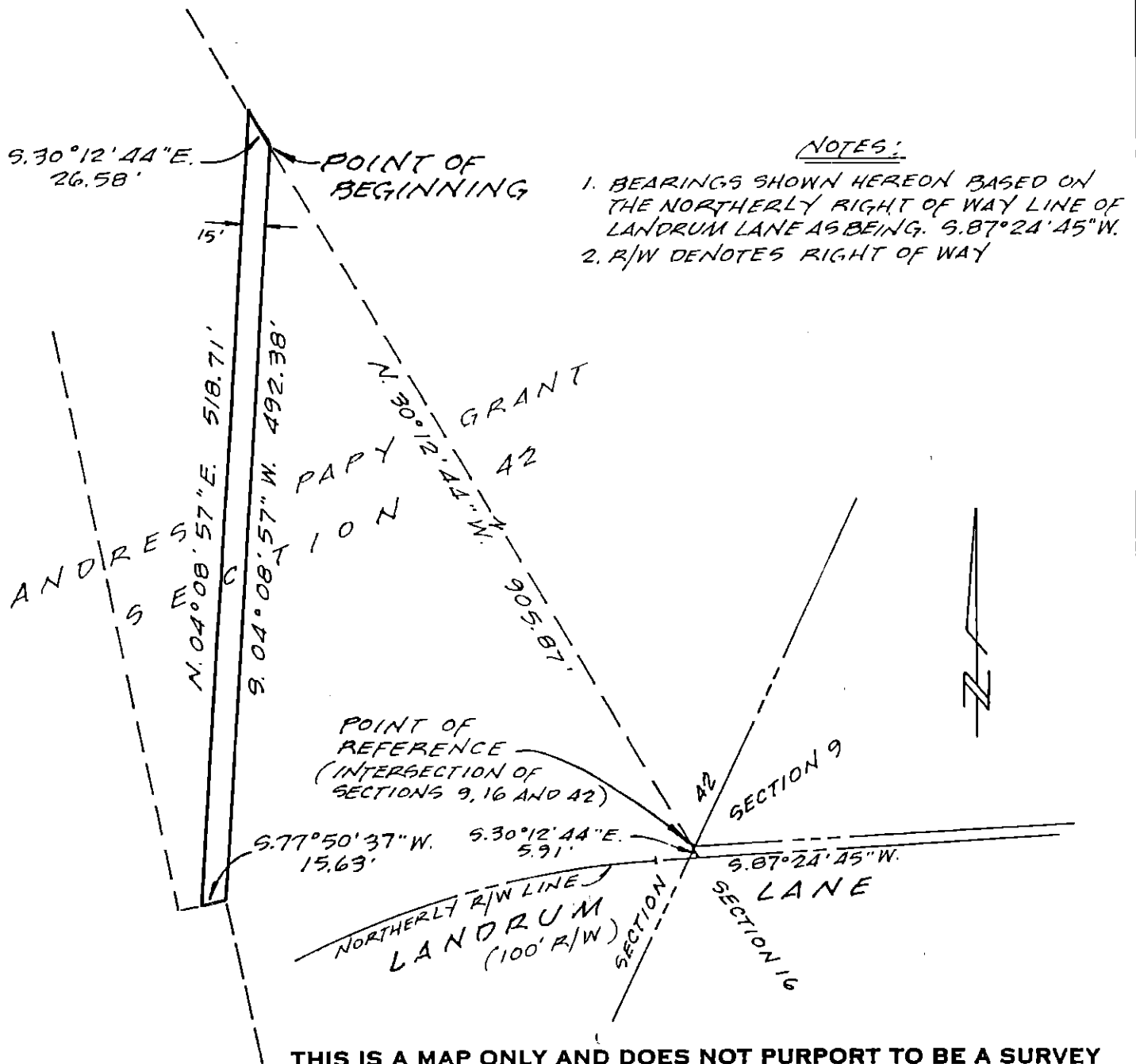
DRWN BY JM

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