

**RESOLUTION NO. 98-28**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REQUESTING AND ACCEPTING FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA A LOCAL AGENCY EASEMENT, RELATED EQUIPMENT AND MAINTENANCE RESPONSIBILITY OF THE LIFT STATION LOCATED AT THE ROBERT ENSSLIN ARMORY ON SR 207.**

**WHEREAS**, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida has presented to St. Johns County, at the request of the State of Florida Department of Military Affairs an application for a Local Agency Easement for access and maintenance of the existing lift station located on the armory property located at the Robert Ensslin Armory on SR 207 as shown on the attached hereto as Exhibit A, incorporated by reference and made a part hereof; and

**WHEREAS**, a Bill of Sale has been executed conveying equipment necessary for the operation of the lift station and is attached hereto as Exhibit B; and

**WHEREAS**, a letter of acceptance for said maintenance has been approved by the St. Johns County Utility Department and is attached hereto as Exhibit C; and

**WHEREAS**, St. Johns County's maintenance of the lift station better serves the health, safety and welfare of the citizens.

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

1. The County Administrator is hereby authorized to complete, execute and file the above referenced application.

2. The County Administrator, or his designee is hereby authorized to accept said easement and thereafter maintenance responsibility of equipment in said easement.

3. The acceptance of the Bill of Sale conveying equipment is hereby approved contingent upon the acceptance of said easement.

4. The Clerk is instructed to record the Bill of Sale in the Official Records of St. Johns County, Florida and mail copies of executed and recorded documents to the Department of Military Affairs, Wayne Strickland, P.O. Box 1008, St. Augustine, Fl 32085.

PASSED AND ADOPTED this 10TH day of February, 1998.

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

BY: Moses A. Floyd  
Moses A. Floyd, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By: Wanne Carter  
Deputy Clerk

EXHIBIT "A"

APP-EAS-SA2

EASEMENT APPLICATION  
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND  
OF THE STATE OF FLORIDA

This application is to be used in order to apply for an easement on land, title to which is vested in the Board of Trustees.

If you have any questions, after reading this application form, you may call (904) 488-2291 for assistance from the Division of State Lands, Bureau of Land Management Services Upland Operations Section.

SPECIAL NOTE TO ALL APPLICANTS: SUBMITTAL OF A COMPLETE APPLICATION SHALL NOT OPERATE TO CREATE ANY RIGHTS OR CONSTITUTE ANY GROUNDS FOR THE DEPARTMENT TO RECOMMEND APPROVAL OF ANY EASEMENT. THE BOARD OF TRUSTEES HAVE THE AUTHORITY AND RESERVE THE RIGHT TO DENY ANY EASEMENT APPLICATION. ALL COSTS INCURRED BY APPLICANTS COMPLYING WITH THE REQUIREMENTS OF THIS APPLICATION SHALL BE AT THEIR OWN RISK. COSTS ASSOCIATED WITH OBTAINING AN EASEMENT ARE NON-REFUNDABLE AND SHALL BE ASSUMED BY THE APPLICANT INCLUDING, BUT NOT LIMITED TO, ALL APPRAISALS, ALL SURVEYS, ALL TITLE SEARCHES, AND ALL RECORDING FEES. APPLICANTS MUST RESPOND TO ITEMS 1 THROUGH 5 IN THEIR ENTIRETY.

PRIOR TO COMPLETING ITEMS 1 THROUGH 5 LISTED BELOW, PLEASE BE ADVISED THAT:

- (A) Any application to use state land which would result in significant adverse impact to state land or associated resources shall not be approved unless the applicant demonstrates there is no other alternative and proposes compensation or mitigation acceptable to the Board of Trustees pursuant to paragraph 18-2.004(1)(n), Florida Administrative Code;
- (B) Any requested use of state land which has been acquired for a specific purpose, such as conservation and recreation lands, shall be consistent with the original specified purpose for acquiring such land pursuant to paragraph 18-2.004(1)(c), Florida Administrative Code; and
- (C) Applicants applying for an easement across state land which is managed for the conservation and protection of natural resources shall be required to provide net positive benefit pursuant to paragraph 18-2.004(1)(o), Florida Administrative Code, if the proposed easement is approved.
- (D) Please send items 1-5 to the agency identified below managing the land on which your easement is requested.

Once the managing agency has reviewed the request they will notify the Division of State Lands, Bureau of Land Management services of their decision whether or not to allow this easement.

If approved, item 6 will then need to be completed and submitted to the Division of State Lands.

Department of Environmental Protection  
Division of State Lands  
Bureau of Land Management Services  
Post Office Box 3070  
Tallahassee, FL 32315-3070

Do not complete Item 6 until you have the managing agencies approval.

1. Type of Easement Application:

- Private Easement Application
- Federal, Regional or Local Agency Easement Application
- State Agency Easement Application

2. Name of Applicant: St. Johns County Board of County Commissioners

Address: 4020 Lewis Speedway, St. Augustine, FL 32095

Phone: (904) 823-2400

3. Represented by: Ben W. Adams, Jr.

Address: 4020 Lewis Speedway

St. Augustine, FL 32095

Phone: (904) 823-2509

4. The state owned land sought for an easement by the applicant is located in:  
St. Johns County; Section 3, Township 8 South,  
Range 29 East; Property Appraiser's Parcel No. 136110-0100;  
(Include a more detailed description, if available)
5. Before your application will be processed by the managing agency, it must contain the following:
- (a) Tax parcel maps of parcel and surrounding parcels, with proposed easement area clearly indicated.
  - (b) Aerial photograph with the proposed easement area identified thereon;
  - (c) A statement describing the public benefits that will occur as a result of the proposed easement;
  - (d) A boundary sketch illustrating location and width of proposed easement (can be sketched on tax parcel map).
  - (e) A letter from the applicable local planning agency stating that the proposed easement is consistent with the local government comprehensive plan adopted pursuant to section 163.3167; and

5. Once you have the managing agencies approval and before your application will be processed by the Division of State Lands, it must contain the following:

- (f) A check in the amount of \$300.00 made payable to the Department of Environmental Protection (The application fee is not required for state, regional, local or federal agencies); the fee is non-refundable.
- (g) Two prints of a certified field survey for the proposed easement area meeting the minimum technical standards of Chapter 21-HH, Florida Administrative Code, which contain the boundaries, legal descriptions, and acreage of the proposed easement area;
- (h) A written commitment to pay an easement fee based upon an appraisal of the market value of the parcel and upon the enhanced property value of a private applicant's land if the applicant is a private party (Not required for state agencies);
- (i) A formal resolution adopted by the Board of County Commissioners or City Commissioners requesting the easement if the applicant is a local governmental agency (Not required for private applicants or state, regional and federal agencies);
- (j) A statement of written approval from the managing agency along with a statement from the managing agent describing how the proposed easement conforms with the management plan when the easement application involves state land which is under lease, sublease, easement or management agreement;
- (k) Applications for easements across state land shall include a statement of intended use which shall include, at a minimum, the following:
  - (1) The requested term for the proposed easement shall not be greater than is necessary to provide for the reasonable use of the state land;
  - (2) The need for the proposed easement and written evidence that all other alternatives to the use of state land have been explored and denied;
  - (3) Projected revenue to be generated from the use of the state land;
  - (4) Whether the intended use is to be public or private and the extent of public access for such use; and
  - (5) A description of the type of facility proposed for the easement area (e.g., road, overhead utility, buried lines or pipes).

GENERAL INFORMATION ON GRANTING EASEMENTS OF BOARD OF TRUSTEES LAND

The granting or approval of an easement that will negatively affect the Board of Trustees' ability to manage uplands in a manner that achieves maximum public benefit will be discouraged pursuant to paragraph 18-2.010(1)(c), Florida Administrative Code. The successful grantee shall assume all liability for the property covered by the easement.

5599

"Exhibit B"

BILL OF SALE

UTILITY IMPROVEMENTS

STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS, 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:

The personal property, fixtures and equipment comprising the sewage collection system for National Guard Armory located at 2305 State Road 207, St. Augustine, Florida 32086. Said personal property, fixtures and equipment being more particularly described on the attached Schedule A., site location described in Schedule B.

State of Florida, Department of Military Affairs does, for itself and its successors and assigns, covenant to and with St. Johns County and its successors and assigns, that it is the lawful owner of said personal property; that the personal property is free of all encumbrances; that it has good right 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, State of Florida, Department of Military Affairs, Florida National Guard, has caused this instrument to be duly executed and delivered by its duly authorized officer on the 10 day of January, 1998.

Signed, Sealed and Delivered  
In the presence of:

STATE OF FLORIDA, DEPARTMENT  
OF MILITARY AFFAIRS

[Signature]  
Witness

By: STATE QUARTERMASTER,  
DEPARTMENT OF MILITARY AFFAIRS

Donna Ponce  
Witness

By: Sam S. Browning III

Recorded in Public Records St. Johns County, FL  
Clerk# 98007606 O.R. 1298 PG 238 04:05PM 02/25/1998  
Recording \$13.00 Surcharge \$2.00

Isabel P. Degrande  
Bill Co - Rec 1300  
Sur - 200

SCHEDULE A

O . R . 1 2 9 8 P G 0 2 3 9

BILL OF MATERIALS

UTILITY: PRIVATE  
VOLTAGE: 460/3/60  
IMP. DIA.: 4.74"

ENG.: VAN WAGENEN AND BEAVERS  
GPM/VOL.: 100 GPM      TDH/PSI: 53'  
W. W. DIA.: 5' DIA.      DEPTH: 14'

ITEM	MODEL	MFG.	QTY
PUMPS	S3HRC500M4-2	HYDROMATIC	2
PR 3" STD.		HYDROMATIC	
BASE	12807-104-5	HYDROMATIC	2
U. GUIDE/PARTS	13051-002-5	HYDROMATIC	2
S. FLANGE	12812-102-5	HYDROMATIC	2
GUIDERAIL CON.	12942-002-1	HYDROMATIC	2
GUIDE RAIL	14'	HYDROMATIC	2
CABLE S/S	3/8" x 14'		2
HANGER	S-4	BPI	1
FLOATS	S30N0	ROTO-FLOAT	4
PANEL	DER54 F/G	UNITRON	1
BASIN	5' x 14' F/G		1
INTERNAL PIPING INCLUDES CHECK VALVES AND SHUT OFF VALVES			
COVER	66" RND ALUM.	US FOUNDRY	1



**SCHEDULE B**

O.R. 1298 PG 0240

**DESCRIPTIONS:**

**LIFT STATION SITE**

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 3,  
TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, MORE  
FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE  
NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE  
NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST, ON THE SOUTH LINE OF  
SAID NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER, A  
DISTANCE OF 1,551.65 FEET; THENCE SOUTH 36 DEGREES 28 MINUTES 21  
SECONDS WEST, ON THE NORTHWEST RIGHT OF WAY LINE OF STATE  
ROAD NO. 207 (A 100 FOOT WIDTH RIGHT OF WAY), 824.90 FEET TO AN  
ANGLE POINT IN SAID RIGHT OF WAY; THENCE CONTINUING ON SAID  
RIGHT OF WAY LINE, SOUTH 36 DEGREES 29 MINUTES 05 SECONDS WEST  
541.34 FEET; THENCE NORTH 53 DEGREES 30 MINUTES 55 SECONDS WEST  
55.82 FEET TO THE POINT OF BEGINNING AT THE MOST EASTERLY CORNER  
OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE SOUTH 36  
DEGREES 29 MINUTES 05 SECONDS WEST 20.00 FEET; THENCE NORTH 53  
DEGREES 30 MINUTES 55 SECONDS WEST 20.00 FEET; THENCE NORTH 36  
DEGREES 29 MINUTES 05 SECONDS EAST 20.00 FEET; THENCE SOUTH 53  
DEGREES 30 MINUTES 55 SECONDS EAST 20.00 FEET TO THE POINT OF  
BEGINNING.