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Public Records of  
St. Johns County, FL  
Clerk# 99039624  
O.R. 1434 PG 863  
11:54AM 08/17/1999  
REC \$21.00 SUR \$3.00

**RESOLUTION NO. 99-113**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, GRANTING A FIFTY YEAR LICENSE TO FLORIDA POWER AND LIGHT COMPANY, TO PROVIDE ELECTRICAL SERVICE TO THE ST. JOHNS COUNTY JUVENILE JUSTICE FACILITY.**

**WHEREAS**, St. Johns County has received a request for a License (see Exhibit "A" attached hereto and by reference made a part hereof) by Florida Power and Light Company (referred to in this Resolution as FPL); and

**WHEREAS**, FPL has requested to use County property (referred to in this Resolution as the "Premises") and shown on Exhibit "B" ( attached hereto and by reference made a part hereof) to provide electrical service to the St. Johns County Juvenile Justice Facility; and

**WHEREAS**, Section 10 of the Lease entered into March 26, 1997, between the State of Florida Department of Juvenile Justice and St. Johns County, for the use of the property for a Juvenile Justice Facility, requires written approval from the County for any easements or license agreements; and

**WHEREAS**, it is found, as allowed by Section 125.42, Florida Statutes, 1995, that it is reasonably necessary for protection of the County and the public for St. Johns County to grant said FPL a License to efficiently provide electrical service to said facility.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of St. Johns County, Florida, hereby grants to FPL a fifty year non-exclusive license to use the "Premises" for purposes mentioned above.

1. The above referenced recitals are found to be true and correct and are incorporated herein be reference.
2. This License is granted subject to the following conditions and limitations:
  - a. The grant of this Licence shall in no way restrict the right and interest of the Licensor (St. Johns County) in the use and maintenance of the "Premises" to the extent that such use does not interfere with the rights granted herein.
  - b. The Licensee (FPL) and its agents shall have the duty to not create any obstructions or conditions of the public right of way adjoining the "Premises" which are or may become dangerous to the public, County, or its agents or employees.

*John + Keel P. DeGrandis  
- Bill Co - 300-5000*

- c. The Licensee shall be liable for the personal injuries and damages to real or personal property that may result from its use of the "Premises" and shall defend, hold harmless and indemnify the Licensor, its officers, employees and agents for and from any damages, claims, liability or costs resulting from the exercise of the privileges granted.
- d. In the event of widening, repair or reconstruction of any County road or other governmentally owned or controlled property, the Licensee shall move or remove its improvements and electrical lines at no cost to the County.
- e. The Licensee shall promptly repair any damage or injury to the road or highway by reason of the exercise of the privileges granted in any instrument creating such license and to repair the road or highway promptly, restoring it to a condition at least equal to that which existed prior to the infliction of such damage or injury.

3. The Licensee is hereby granted authority to allow its agents to exercise the Licensee privileges under this License; however in such case, the Licensee shall by allowing such exercise of license privileges assume direct responsibility and liability to St. Johns County for Licensee's agent's compliance with the terms of this License.

4. Licensee shall have the right to clear and keep the "Premises" clear of all trees, undergrowth or other obstructions and to trim and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs in the vicinity of the "Premises" on lands owned by the Licensor which might interfere with Licensee's use of the "Premises". Provided however that this provision is subject to compliance with the applicable St. Johns County Tree Ordinances.

5. This License shall run with the land and shall be binding on and shall inure to the benefits of the parties hereto, their successors or assigns for Fifty Years so long as the electrical service is needed on the "Premises". This license is subject to termination by the County in the event the subject County property is abandoned, vacated, discontinued or reconstructed by the County or its agents.

6. This License may be renewed for subsequent terms of Fifty Years at the discretion of St. Johns County Board of County Commissioners.

7. This License is not intended to confer with any rights not specifically stated herein and the Licensee is granted no interest other than the Fifty Year License. Expenditures made by the Licensee on the "Premises" shall in no way be deemed to make this License irrevocable.

8. The Clerk is instructed to record this Resolution in the Official Records Book of St. Johns County, Florida.

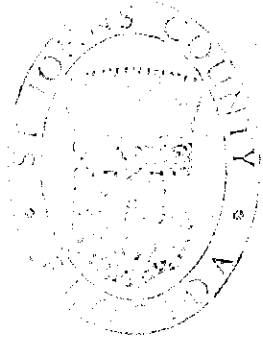
PASSED AND ADOPTED this 10 day of August, 1999, by the Board of County Commissioners of St. Johns County, Florida.

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

By: Marc A. Jacalone  
Marc A. Jacalone, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande  
Deputy Clerk





Florida Power &amp; Light Company

July 19, 1999

Mary Ann Blount  
Development Services  
Real Estate Office  
4020 Lewis Speedway  
St. Augustine, Florida 32095

Ref: FPL Easement  
Juvenile Center  
4500 Ave. D  
St. Augustine, Florida

Mrs. Blount:

This letter is just to inform you of the purpose of the easement required by FPL in order for electric services to be provided to the above mentioned facility. The easement grants Florida Power & Light Company rights of access for the construction, operation and maintenance of overhead and **underground electric utility facilities** (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within the specified easement.

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes. FPL would also have the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Williams', written over a horizontal line.

Jeremy Williams  
Service Planner/Engineer

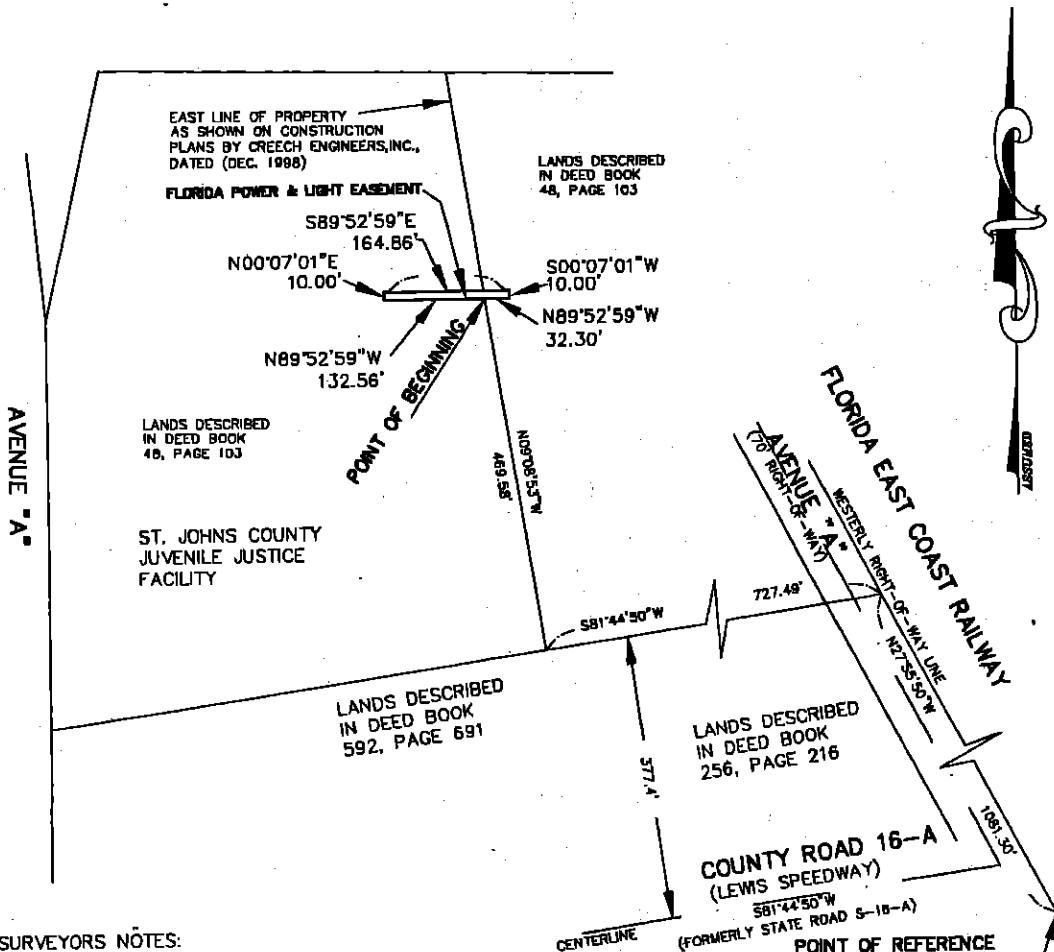
SKETCH OF LEGAL DESCRIPTION FOR:

OR 1434 PG 867

Exhibit "B"

A 10' WIDE UTILITY EASEMENT LYING IN GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF GOVERNMENT LOT 1 AND THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE N 27°55'50" W, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 1081.30' TO A POINT ON A LINE BEING PARALLEL WITH AND PERPENDICULAR TO THE CENTERLINE OF STATE ROAD S-16-A, SAID LINE BEING 377.4' NORTH OF THE CENTERLINE OF STATE ROAD NUMBER S-16-A, THENCE S 81°44'50" W PARALLEL WITH SAID CENTERLINE, 727.49' TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT SHOWN AS THE "ST. JOHNS COUNTY JUVENILE JUSTICE FACILITY" ON THE CONSTRUCTION PLANS BY CREECH ENGINEERS, INC., DATED DEC. 1998; THENCE ALONG THE EAST LINE OF SAID TRACT, N 09°08'53" W, 469.58' TO THE POINT OF BEGINNING OF SAID 10' WIDE EASEMENT; THENCE N 89°52'59" W, 132.56'; THENCE N 00°07'01" E, 10.00'; THENCE S 89°52'59" E, 164.86'; THENCE S 00°07'01" W, 10.00'; THENCE N 89°52'59" W, 32.30' TO THE POINT OF BEGINNING.



SURVEYORS NOTES:

1. THIS IS SKETCH OF LEGAL DESCRIPTION
2. THIS IS NOT A BOUNDARY SURVEY.
3. NORTH IS ASSUMED, BEARING DATUM BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY CO., SAID LINE BEARS N 27°55'50" W.

POINT OF REFERENCE

INTERSECTION OF THE SOUTHERLY BOUNDARY OF GOVERNMENT LOT 1 OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AND THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILWAY COMPANY.

SKETCH AMENDED 07/02/99 TO SHOW CORRECTED TOWNSHIP AND RANGE

I HEREBY CERTIFY THIS SKETCH EXCLUSIVELY TO:  
ST. JOHNS COUNTY,  
FLORIDA POWER & LIGHT,  
DEPT. OF JUVENILE JUSTICE.

PREPARED BY:  
C.W. TURLINGTON  
PROFESSIONAL SURVEYING AND MAPPING  
2600 US #1 SOUTH, SUITE 2A  
ST. AUGUSTINE, FL 32086  
904-794-4144

CERTIFICATION: I HEREBY CERTIFY, that the sketch shown hereon was made under my direction and supervision and is correct to the best of my knowledge and belief and it meets minimum technical standards as set forth in chapter 81G17-8, Florida Administrative Code, pursuant to section 472.027, Florida Statutes.

*Cecil Westley Turlington, III*

CECIL WESTLEY TURLINGTON, III P.S.M. NO. 5889  
PROFESSIONAL SURVEYOR AND MAPPER

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DRAWN BY: C.W.T.

JOB NO: 98042

SCALE: 1" = 200'

SHEET 1 OF 1