

RESOLUTION NO. 2004- 85

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO EASEMENTS FOR UTILITIES REQUIRED FOR CONSTRUCTION OF PHASE 1 OF THE INTERSTATE 95 CORRIDOR TRANSMISSION WATER MAIN EXTENSION PROJECT.**

**RECITALS**

**WHEREAS**, Strates Properties, Ltd., and Big Cypress Associates, Ltd., have executed and presented to the County two Easements for Utilities, attached hereto as Exhibit "A" and Exhibit "B", incorporated by reference and made a part hereof; and

**WHEREAS**, these Easements are required to install the water/sewer transmission mains on the properties owned by the individuals to begin Phase 1 of the Utility Department budgeted 2004 Capital Improvement Project which will begin at State Road 207 and end at Allen Nease Road water plant; and

**WHEREAS**, in exchange for the Easements, St. Johns County Utility Department has agreed to install water stub-out connections for the two parcels; and

**WHEREAS**, it is in the best interest of the public for the County to accept these Easements to ensure that the project can proceed.

**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 Easements for Utilities attached and incorporated hereto, is hereby accepted.


Section 3. The Clerk of the Circuit Court is instructed to record the original Easements in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 4<sup>th</sup> day of May, 2004.

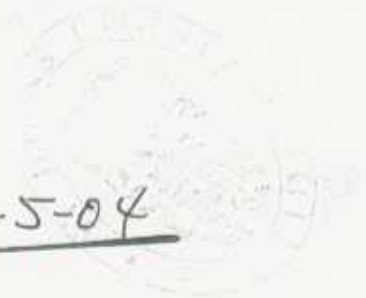
**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

By:   
Karen R. Stern, Chair

**ATTEST:** Cheryl Strickland

By:   
Deputy Clerk

RENDITION DATE 5-5-04



Prepared by:  
St. Johns County  
4020 Lewis Speedway  
St. Augustine, Florida 32084

**NON-EXCLUSIVE EASEMENT FOR UTILITIES**

THIS NON-EXCLUSIVE EASEMENT executed and given this \_\_\_ day of \_\_\_\_\_, 2003, by STRATES PROPERTIES LTD., whose address is 10600 Orange Avenue, Orlando FL 32824, hereinafter called "Grantor", to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the "Grantee".

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantors hereby give, grant dedicate and convey to the Grantee, its successors and assigns forever, an unobstructed right-of-way and non-exclusive permanent easement with the right, privilege and authority to said Grantee, its successors and assigns, to construct, operate, lay, maintain, improve and repair sub-surface pipes for water transmission main on, along, over, through, across or under the following described land, situate in St. Johns County, Florida, to wit:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

Subject to the Terms and Conditions described on Exhibit "B", incorporated by reference and made a part hereof.

TOGETHER with the right to said Grantee its successors and assigns, of ingress and egress, to and over the above described property, and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted, also the privilege of removing at any time any and all of said improvements upon, over, under or in lands, together with the right, easements, privileges and appurtenances in and to said land which may be required for the enjoyment of the rights herein granted.

IN WITNESS WHEREOF, Grantee and Grantor has caused this instrument to be executed by its duly authorized officers as of the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

(sign) Kathleen M Mauser  
(print) Kathleen M. M

(sign) Mary Jane Haley  
(print) MARY JANE HALEY

GRANTOR:  
STRATES PROPERTIES LTD.

By: E. Jay Stratis  
Its: General Partner

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of April, 2004, by E. Jay Stratis of Strates Properties Ltd. Who is personally known to me or have produced \_\_\_\_\_ as identification.

**Kathleen M. Mauser, Notary Public**  
 Personally Known (OR)  
 Produced Identification

\_\_\_\_\_  
(Type of identification produced)

Kathleen M Mauser  
Notary Public  
My Commission expires: \_\_\_\_\_



Signed and Sealed in our Presence as Witnesses

(sign) \_\_\_\_\_  
(print) \_\_\_\_\_

(sign) \_\_\_\_\_  
(print) \_\_\_\_\_

GRANTEE:  
ST. JOHNS COUNTY, FLORIDA

\_\_\_\_\_  
Ben W. Adams, Jr.  
County Administrator

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by Ben W. Adams, Jr., County Administrator for St. Johns County Florida, who is personally known to me.

\_\_\_\_\_  
Notary Public

EXHIBIT "A" to Easement

A PORTION OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY AND A PORTION OF SECTIONS 8, 9 AND 16, TOWNSHIP 8 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT A 4"x4" CONCRETE MONUMENT, NO IDENTIFICATION, SAID POINT BEING THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°27'56" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 8, A DISTANCE OF 2,648.83 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ALLEN NEASE ROAD A VARIABLE WIDTH RIGHT OF WAY AS NOW ESTABLISHED; THENCE NORTH 27°17'42" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 20.64 FEET; THENCE SOUTH 62°33'59" WEST, A DISTANCE OF 8.72 FEET; THENCE NORTH 27°16'30" WEST CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 6.60 FEET; THENCE SOUTH 89°27'56" EAST, DEPARTING SAID RIGHT OF WAY LINE, A DISTANCE OF 2,689.22 FEET; THENCE SOUTH 00°27'05" WEST, A DISTANCE OF 219.86 FEET; THENCE SOUTH 83°49'36" WEST, A DISTANCE OF 20.13 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 16; THENCE NORTH 00°27'05" EAST, ALONG SAID WESTERLY LINE OF SECTION 16, A DISTANCE OF 202.21 FEET TO THE POINT OF BEGINNING. CONTAINING 57,542 SQUARE FEET OR 1.32 ACRES, MORE OR LESS.

PARCEL TWO

A PORTION OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY AND LYING IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 8 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A 4"x4" CONCRETE MONUMENT, NO IDENTIFICATION, SAID POINT BEING THE NORTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 00°27'05" WEST ALONG THE WESTERLY LINE OF SAID SECTION 16, A DISTANCE OF 598.39 FEET; THENCE NORTH 62°38'07" EAST DEPARTING SAID WESTERLY LINE OF SAID SECTION 16 AND ALONG A LINE PARALLEL TO THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1599, PAGE 810 OF THE PUBLIC RECORDS OF SAID COUNTY (PARCEL NUMBER 143, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78050-2531) A DISTANCE OF 351.09 FEET TO A POINT ON THE WESTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF SAID COUNTY AND THE POINT OF BEGINNING.

THENCE NORTH 62°38'07" EAST DEPARTING SAID WESTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF SAID COUNTY AND ALONG A LINE PARALLEL TO THE NORTH LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS 1737, PAGE 1212 OF THE PUBLIC RECORDS OF SAID COUNTY (PARCEL NUMBER 148, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78050-2531) A DISTANCE OF 200.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 30°42'26" EAST ALONG THE EASTERLY LINE OF SAID LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 20.03 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1737, PAGE 1212 OF THE PUBLIC RECORDS OF SAID COUNTY (PARCEL NUMBER 148, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78050-2531); THENCE SOUTH 62°38'07" WEST ALONG THE NORTH LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1737, PAGE 1212 OF THE PUBLIC RECORDS OF SAID COUNTY (PARCEL NUMBER 148, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78050-2531) A DISTANCE OF 200.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS 1737, PAGE 1212 OF THE PUBLIC RECORDS OF SAID COUNTY (PARCEL NUMBER 148, FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 78050-2531); THENCE NORTH 30°42'26" WEST ALONG THE WESTERLY LINE OF SAID LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 1440, PAGE 1073, A DISTANCE OF 20.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,999 SQUARE FEET OR 0.09 ACRES, MORE OR LESS.

SUBJECT TO: PARCEL NUMBER 710, OFFICIAL RECORDS 1737, PAGE 1212 AS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, A TEMPORARY CONSTRUCTION EASEMENT DATED MARCH 28, 2002 ORDER OF TAKING (48 MONTHS), OFFICIAL RECORDS 1768, PAGE 887, DATED JUNE 7, 2002.

EXHIBIT "B" to Easement

1. The Grantee agrees to install the following connection points, as shown on Exhibit "C", attached hereto, incorporated by reference and made a part hereof, along the utility line in exchange for the Grantor conveying easement rights to the property described in Exhibit "A":

Four 8-inch water connections  
One 10-inch water connection  
Two 8-inch "FM" sewer connections

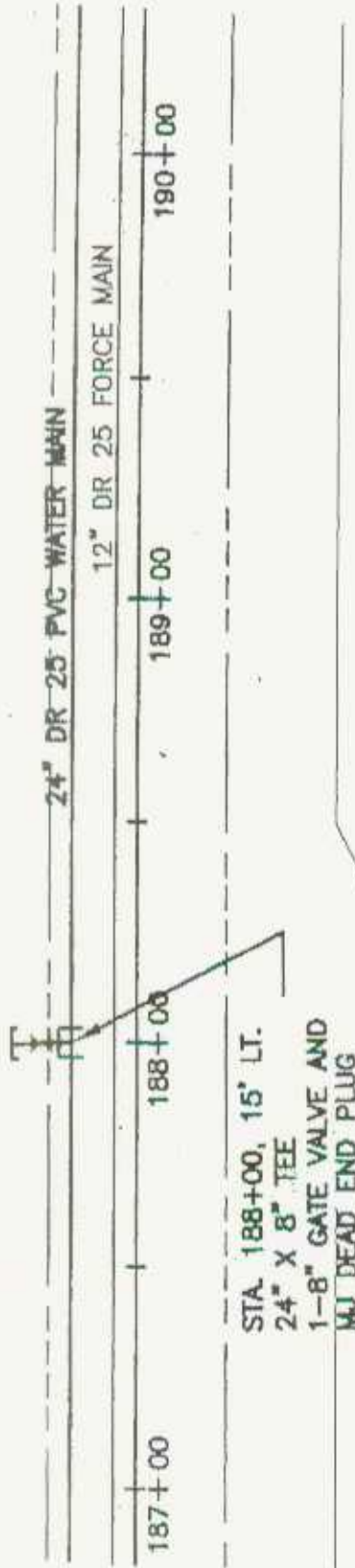
2. Grantor reserves the right to improve and use the Easement for purposes not inconsistent with the Grantee's Easement rights, including, without limitation, landscape buffers (using only landscaping materials approved by the Grantee), driveways and connections or extension of roads adjoining the Grantor's property.

3. Grantee shall maintain the Easement, and all facilities therein, in good condition and repair. If during maintenance of the Easement or facilities, the Grantee damages the Grantor's improvements the Grantee will restore the Easement area to a condition that is reflective of, or comparable to, the pre-existing condition.

①



J. STAYES PROPERTY

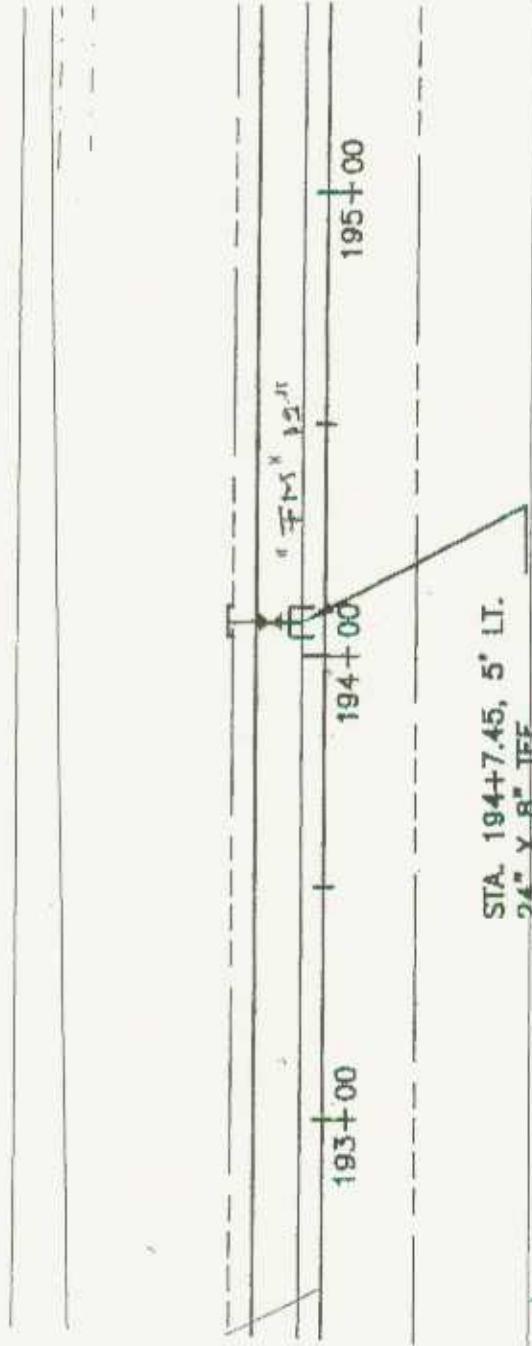




2



J. STRATES PROPERTY

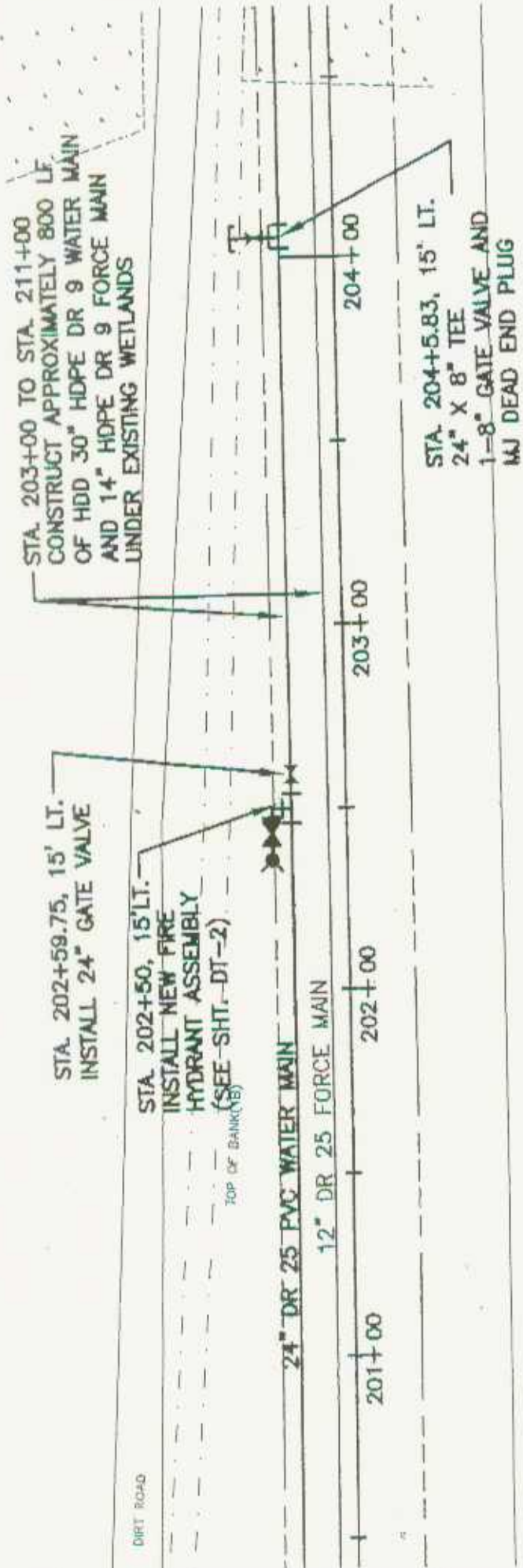


STA. 194+7.45, 5' LT.  
 24" X 8" TEE  
 1-8" GATE VALVE AND  
 MJ DEAD END PLUG

3

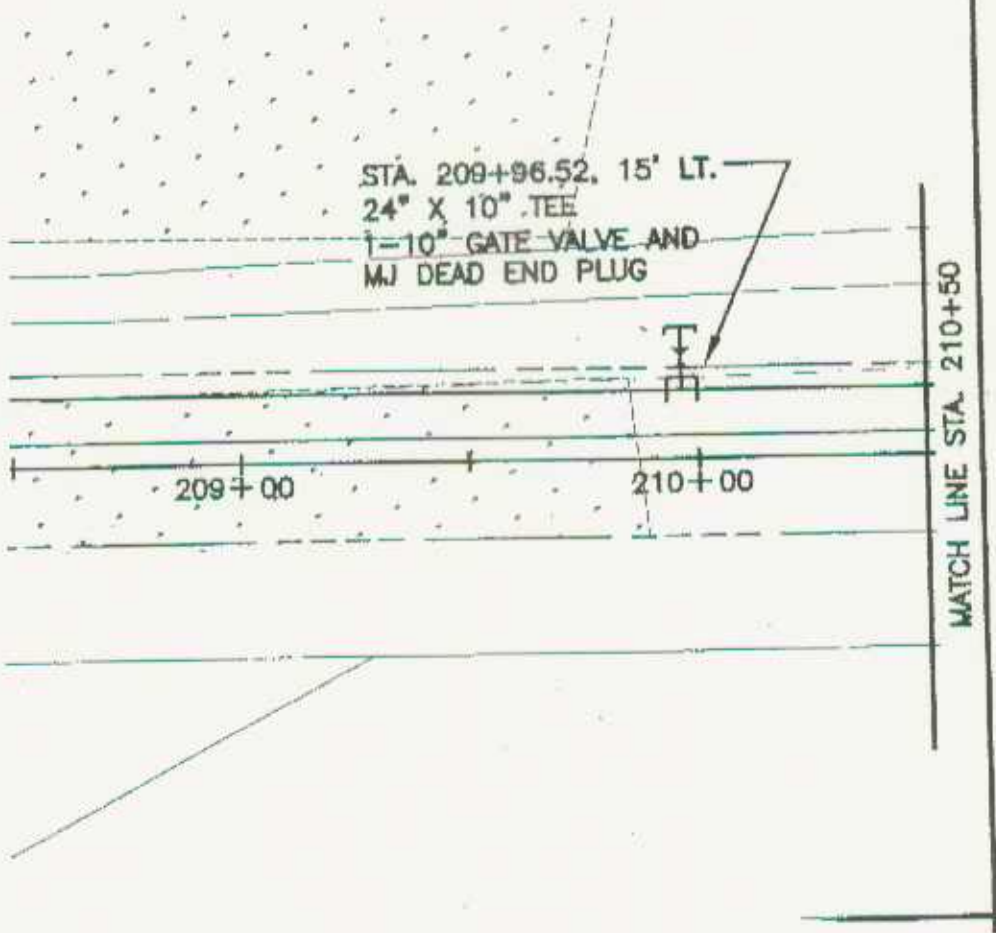


*S. SHATES PROPERTY*

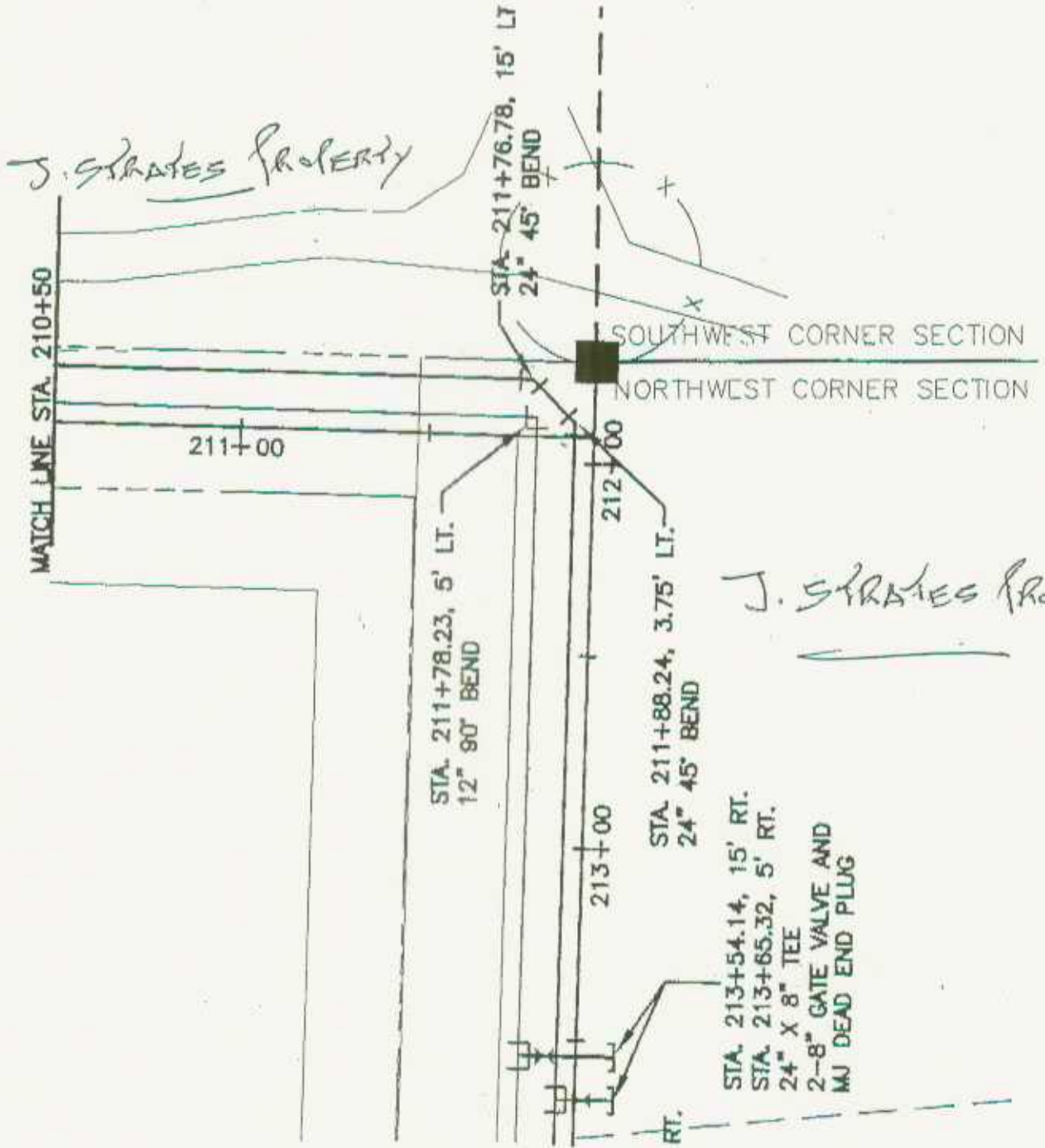


4

J. STRATES PROPERTY



5



J. STRATES PROBER

6

N

J. STRATES PROPERTY

STA. 223+76.11, 10' LT.  
INSTALL NEW FIRE  
HYDRANT ASSEMBLY  
(SEE SHT. DT-2)  
6" x 6" TEE  
1-6" GATE VALVE AND  
MJ DEAD END PLUG

STA. 223+36.22, 5' LT.  
24" X 8" TEE  
1-8" GATE VALVE AND  
MJ DEAD END PLUG

STA. 223+81, 10' LT. CONSTRUCT APPROXIMATELY  
600 LF HDD OF 30" DR 9 HDPE UNDER  
WETLANDS TO STA. 229+00, 10' LT.

EDGE OF  
WETLAND

222+00 223+00 224+00 225+00

AD NO. 207

HT OF WAY-PAVED

Prepared by:  
St. Johns County  
4020 Lewis Speedway  
St. Augustine, Florida 32084

### EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 7<sup>th</sup> day of October, 2003, by BIG CYPRESS ASSOCIATES, LTD., whose address is 129 Wisteria Dr., Longwood FL 32779, hereinafter called "Grantor", to ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, St. Augustine, Florida 32084, hereinafter called the "Grantee".

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

#### WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, said Grantors hereby give, grant dedicate and convey to the Grantee, its successors and assigns forever, an unobstructed right-of-way and non-exclusive permanent easement with the right, privilege and authority to said Grantee, its successors and assigns, to construct, operate, lay, maintain, improve and repair sub-surface pipes for water transmission main on, along, over, through, across or under the following described land, situate in St. Johns County, Florida, to wit:

Property as described on attached Exhibit "A", incorporated by reference and made a part hereof.

TOGETHER with the right to said Grantee its successors and assigns, of ingress and egress, to and over the above described property, and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted, also the privilege of removing at any time any and all of said improvements upon, over, under or in lands, together with the right, easements, privileges and appurtenances in and to said land which may be required for the enjoyment of the rights herein granted.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers as of the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

(sign) [Signature]  
(print) Friday McGraw

(sign) [Signature]  
(print) FLORENCE TURENNE

GRANTOR:  
BIG CYPRESS ASSOCIATES, LTD.  
By: Day Land Holdings LLC, its Gen. Partner

By: [Signature]  
Its: Member

STATE OF ~~FLORIDA~~ CONNECTICUT  
COUNTY OF ~~ST. JOHNS~~ FAIRFIELD : Stamford

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of October, 2003, by HARRY DAY. They are personally known to me or have produced A LICENSE as identification.

[Signature]  
Notary Public  
My Commission Expires: **RICHARD R. TORTORA**  
**NOTARY PUBLIC**  
**MY COMMISSION EXPIRES MAY 31, 2005**

EXHIBIT "A" to Easement

A PORTION OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 THE PUBLIC RECORDS OF ST. JOHNS COUNTY AND LYING IN SECTION 9, TOWNSHIP 8 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A 4"x4" CONCRETE MONUMENT, NO IDENTIFICATION, SAID POINT BEING THE NORTHWEST CORNER OF SAID SECTION 16; THENCE SOUTH 00°27'05" WEST ALONG THE WESTERLY LINE OF SAID SECTION 16, A DISTANCE OF 660.37 FEET TO A POINT ON THE FORMERNORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO 207, A 100 FOOT WIDTH RIGHT OF WAY AS FORMERLY ESTABLISHED(FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 7805-(175)176); THENCE NORTH 62°38'07" EAST DEPARTING SAID WESTERLY LINE OF SAID SECTION 16 AND ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 819.98 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 2,816.93 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL OF 26°09'00", A DISTANCE OF 1,285.66 FEET TO A POINT OF TANGENCY, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 49°33'37" EAST, 1,274.53 FEET; THENCE NORTH 36°29'07"EAST, A DISTANCE OF 1917.57 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 OF THE PUBLIC RECORDS OF SAID COUNTY AND THE POINT OF BEGINNING.

THENCE NORTH 53°42'52" WEST ALONG SAID WESTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, A DISTANCE OF 20.00 FEET; THENCE NORTH 36°29'07" EAST, DEPARTING SAID WESTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 309.20 FEET; THENCE NORTH 36°39'07" EAST, A DISTANCE OF 371.20 FEET; THENCE NORTH 26°26'53" EAST, A DISTANCE OF 101.61 FEET; THENCE NORTH 36°39'07" EAST, A DISTANCE OF 796.65 FEET TO A POINT ON THE EASTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 53°33'26" EAST, ALONG SAID EASTERLY LINE OF LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS 774, PAGE 986 OF THE PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 20.00 FEET TO ITS INTERSECTION WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 207; THENCE SOUTH 36°39'07" WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 776.72 FEET; THENCE SOUTH 53°20'53" EAST, A DISTANCE OF 18.00 FEET; THENCE SOUTH



36°39'07" WEST, A DISTANCE OF 491.17 FEET; THENCE SOUTH 36°29'07"  
WEST, A DISTANCE OF 309.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 32,800 SQUARE FEET OR 0.75 ACRES, MORE OR LESS.



**GENERAL  
LOCATION MAP**



Map Prepared: 4/21/2004

\*Depicts General Project Boundary

**Phase 1 - Interstate 95  
Corridor Transmission  
Water Main Extension  
Project**

File: BCC May 4, 2004



St. Johns County  
Public Works Dept.  
Real Estate