

RESOLUTION NO. 2005- 127

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT THAT WILL ALLOW THE COUNTY JOINT USE OF AN OFFSITE RETENTION POND FOR DRAINAGE FOR THE ROAD RIGHT-OF-WAY'S IN MURABELLA SUBDIVISION.**

**WHEREAS**, A & S Land Development Company, a Florida corporation, and Murabella, LLC, a Florida limited liability company, have executed and presented to the County a Grant of Easement that will allow the County joint use of an offsite retention pond for drainage for the road right-of-way's in Murabella Subdivision, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

**WHEREAS**, the County will not be responsible for any permitting or future maintenance of the Easement area. The retention pond is part of the development review requirement for Murabella subdivision; and

**WHEREAS**, it is in the best interest of the County to accept the Easement to ensure proper drainage for the health, safety and welfare of the citizens in that area.

**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 Grant of Easement attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

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

**PASSED AND ADOPTED** this 4<sup>th</sup> day of MAY, 2005.

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

By: Bruce A. Maguire

Bruce A. Maguire, Chairman

**ATTEST:** Cheryl Strickland, Clerk

By: Cheryl Strickland  
Deputy Clerk

RENDITION DATE 5-5-05

Exhibit "A" to Resolution

THIS DOCUMENT PREPARED  
BY AND RETURN TO:

JOSEPH J. VAN ROOY, ESQUIRE  
PAPPAS METCALF JENKS & MILLER, P.A.  
245 RIVERSIDE AVENUE, SUITE 400  
JACKSONVILLE, FL 32202

**GRANT OF EASEMENT**  
**(Drainage)**

THIS EASEMENT made as of the 7th day of April, 2005, by and between **A & S LAND DEVELOPMENT COMPANY**, a Florida corporation, whose mailing address is 4141 Southpoint Drive East, Suite B, Jacksonville, Florida 32216 ("Grantor") and **MURABELLA, LLC**, a Florida limited liability company, whose mailing address is 4729 U.S. Highway 17, Suite 204, Orange Park, Florida 32073 and **ST. JOHNS COUNTY**, a political subdivision of the State of Florida (together the "Grantee").

**WITNESSETH**

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys to Grantee, its successors and assigns forever, a perpetual and unobstructed right-of-way and easement for drainage purposes over, across, under and through that certain parcel of land located in St. Johns County, Florida, more particularly described on Exhibit "A" attached hereto ("Easement Land") including the right to install, construct, operate, repair and maintain lakes, ponds, swales, pipes, conduits, lines and associated equipment for the purpose of providing stormwater drainage benefiting and serving the property described in Exhibit "B" (the "Benefitted Land"). Together with the right of Grantee, its

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successors and assigns, to ingress and egress to, over and across the Easement Land and to do anything necessary or useful or convenient for the enjoyment of the easement herein granted. This easement shall run with title to the Easement Land and is assignable by Grantee.

The easement granted herein shall not be exclusive of use by Grantor, or its successors and assigns, so long as such use does not interfere with the rights granted herein.

**IN WITNESS WHEREOF**, Grantor has executed this easement as of the day and year first above written.



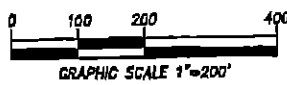
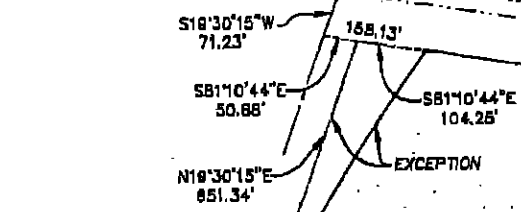
**EXHIBIT "A" to Easement (EASEMENT LAND)**

**MAP SHOWING SKETCH OF**

A portion of Subsection 10, lying within Section 30, of the Antonio Huertas Grant, Township 8 South, Range 28 East, St. Johns County, Florida.  
(SEE SHEET 2 FOR LEGAL DESCRIPTION)

**POINT OF COMMENCEMENT**  
Intersection of the Centerline of County Road No. 13 with the Baseline for State Road No. 16

**STATE ROAD NO. 16**  
(200' Right of way per Florida Department of Transportation Right of Way Map, Section 78000-3423, Dated Nov 18, 1999)  
Baseline for State Road No. 16  
SOUTHERLY RIGHT OF WAY LINE



LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S70°17'17"E	344.30'

R=2248.58'  
CA=17°22'09"  
L=881.05'  
CB=S28°11'19"W  
CH=878.44'

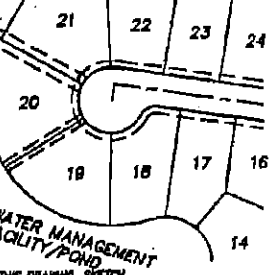
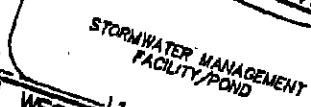
UNPLATTED PORTION OF SUB SECTION 10, LYING WITHIN SECTION 30 OF THE ANTONIO HUERTAS GRANT, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA.

**COUNTY ROAD NO. 13-A**  
(100' RIGHT OF WAY)  
SOUTHERLY RIGHT OF WAY LINE

**CURVE C1**  
R=50.00'  
D=89°47'32"  
L=78.38'  
CH=70.58'  
CB=S25°23'31"E

**CURVE C2**  
R=850.00'  
D=27°49'02"  
L=412.68'  
CH=408.64'  
CB=S56°22'45"E

POINT OF BEGINNING



SHEET 1 OF 2

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

- NOTES**
1. Bearings are based on the Southerly R/W Line of State Road 16 (S18°30'15"W)
  2. This is not a Boundary Survey.
  3. Distances are based on (18.9) value in U.S. Coast and Geodetic Survey Datum, National Geodetic Vertical Datum of 1928, (N.G.V.D. of 1928).
  4. By Dependent platting with the property shown herein the with Zone 18' as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Program, Flood Insurance Rate Map (FIRM) Community-Map Number 18108022750 Map Revised date 1 8-3-03
  5. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.

**LEGEND**

①	SHOWS RESERVE RIGHT	DATE	SEPTEMBER 14, 2004
②	SHOWS RIGHT	SCALE	1"=200'
③	SHOWS 1/2" HIGH PILE SET WITH 2" DIA. RINGS & 2" DIA. WIPERS FOR PIPE FOUND (2" DIA.)	JOB No.	
④	SHOWS SET OUT	F.B.	
		page	
		COMP. FILE	OFF-ESMT.0102
		Drawn by	HEA

**RICHARD A. MILLER & ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS  
8701 BEACH BLVD., SUITE 8200  
JACKSONVILLE, FLORIDA 32218  
Tel: (904) 721-8758  
Fax: (904) 721-1128

ONE IS TO GROUP THIS MAP WITH THE OTHERS OF LEGAL DESCRIPTIONS HAS BEEN MADE BY SURVEYOR AND IN ACCORDANCE WITH THE RULES OF PROFESSIONAL CONDUCT AND ETHICS BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, FLORIDA STATUTE 478-40, CHAPTER 478, PART 402, F.A.C. AND PART 401, F.A.C. PUBLIC UTILITY CODE, PART 401, F.A.C.

*Richard A. Miller*  
BY RICHARD A. MILLER, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 3648

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
ADP	Aerial Photograph	BL	Bearing Lines
CD	Control Point	CL	Control Line
CDM	Control Monument	CLM	Control Monument
CDA	Control	CLP	Control Point
CP	Control Point	CMA	Control Monument
CR	Control	CLM	Control Monument
CRC	Control	CLP	Control Point
CRP	Control	CMA	Control Monument
CRV	Control	CLM	Control Monument
CRW	Control	CLP	Control Point
CRX	Control	CMA	Control Monument
CRY	Control	CLM	Control Monument
CRZ	Control	CLP	Control Point
CR1	Control	CMA	Control Monument
CR2	Control	CLM	Control Monument
CR3	Control	CLP	Control Point
CR4	Control	CMA	Control Monument
CR5	Control	CLM	Control Monument
CR6	Control	CLP	Control Point
CR7	Control	CMA	Control Monument
CR8	Control	CLM	Control Monument
CR9	Control	CLP	Control Point
CR0	Control	CMA	Control Monument

MAP SHOWING SKETCH OF

OFFSITE DRAINAGE EASEMENT:

A portion of Subsection 10, lying within Section 38, of the Antonio Muerles Grant, Township 8 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the survey baseline for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map, Section 78060-2322, dated November 10, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to the intersection with the westerly prolongation of the southerly right of way line of said State Road No. 16; thence South 81° 16'44" East, along said line, a distance of 156.13 feet to a point situated in the Southeastly right of way line of said County Road No. 13-A, said right of way line being a curve concave Southeastly having a radius of 2,248.58 feet; thence Southeastly along the arc of said curved Easterly right of way line, a distance of 681.05 feet, said arc being subtended by a chord bearing and distance of South 28°11'10" West, 678.44 feet to the point of tangency of said curve; thence South 19°30'15" West, a distance of 636.52 feet to a POINT OF BEGINNING; thence continue South 19°30'15" West, along said Easterly right of way line, 213.37 feet to the point of curvature of a curve concave Easterly and having a radius of 50.00 feet; thence Southerly and Southeastly around and along the arc of said curve and along the Proposed Northerly right of way line of West Palatka Avenue, 78.38 feet, said arc being subtended by a chord bearing and distance of South 25°23'31" East, 70.58 feet to the point of tangency of said curve; thence South 70°17'17" East, along said Proposed Northerly right of way line, 344.30 feet to the point of curvature of a curve concave Southwestly and having a radius of 850.00 feet; thence Southeastly around and along the arc of said curve and continuing along said Proposed Northerly right of way line, 412.88 feet, said arc being subtended by a chord bearing and distance of South 56°22'45" East, 408.64 feet; thence North 20°44'25" East, 328.10 feet; thence North 87°53'34" West, 798.31 feet to the POINT OF BEGINNING.

Containing 7.7808 acres, more or less.

RICHARD A. MILLER & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS  
8701 BEACH BLVD., SUITE #200  
JACKSONVILLE, FLORIDA 32218  
Fax (904) 721-8758  
Tel. (904) 721-1226

DATE SEPTEMBER 14, 2004  
SCALE 1" = 200'  
JOB No. \_\_\_\_\_  
P.L. \_\_\_\_\_  
Prep. \_\_\_\_\_  
Comp. Plo. OFF-ESMT.DWG  
Drawn by MEC

**EXHIBIT "B"** to Easement  
(Benefited Land)

**MURABELLA UNIT ONE, RECORDED IN MAP BOOK 52, PAGES 16 THRU 42 OF  
THE OFFICAL RECORDS OF ST. JOHNS COUNTY, FLORIDA.**