RESOLUTION NO. 2009-<u>247</u>

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY TO INSTALL AN UNDERGROUND UTILITY LINE TO THE ST. JOHNS COUNTY FAIRGROUNDS.

WHEREAS, Florida Power & Light Company (hereinafter "FPL") has requested an easement in order to install, maintain and provide an underground utility line to the St. Johns County Fairgrounds (hereinafter "County Fairground"), attached hereto as Exhibit "A", incorporated by reference and made a part hereof, in order to allow "FPL" to upgrade underground utility lines and pedestals to the County Fairground; and

WHEREAS, "FPL" requires that a customer desiring electrical service must provide "FPL" with access and rights-of-way which in the opinion of "FPL" are necessary for the rendering of service to the customer and the County has authority to grant such rights, easements, permits and privileges and it is found that it is necessary for protection of the County and the public for the County to grant "FPL" an easement to efficiently provide electrical service to the County Fairgrounds; and

WHEREAS, it is in the best interest of the County to convey this Easement to FPL.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of St. Johns County, Florida, hereby grants to "FPL" an easement for the purposes mentioned above.

- **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 "FPL" Easement is hereby accepted by the Board of County Commissioners and the County Administrator is hereby authorized to execute said Easement.
- **Section 3.** To the extent that there are typographical errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.
- Section 4. The Clerk of Circuit Court is instructed to record the original "FPL" Easement in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 15th day of September, 2009, by the Board of County Commissioners of St. Johns County, Florida.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: tam Halterman

Deputy Clerk

RENDITION DATE 9/16

EXHIBIT "A" TO RESOLUTION

Work Order No.-WR 3424783 Sec.38, Twn 8, Rge 28 Parcel I.D. # 036010-0000 Form 3722 (Stocked) Rev. 7/94

EASEMENT

This Instrument Prepared By: Linda J. White St. Johns County Real Estate Division 500 San Sebastian View St. Augustine FL 32084

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever 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 an easement described as follows:

Attached here to as Exhibit "A"

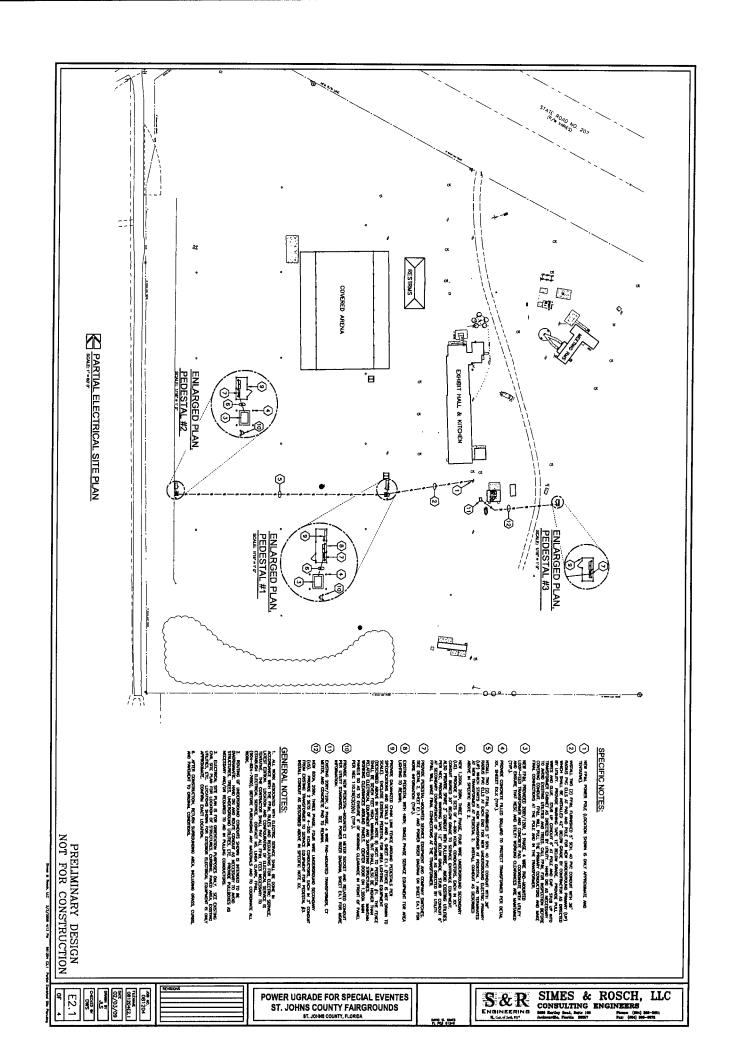
Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

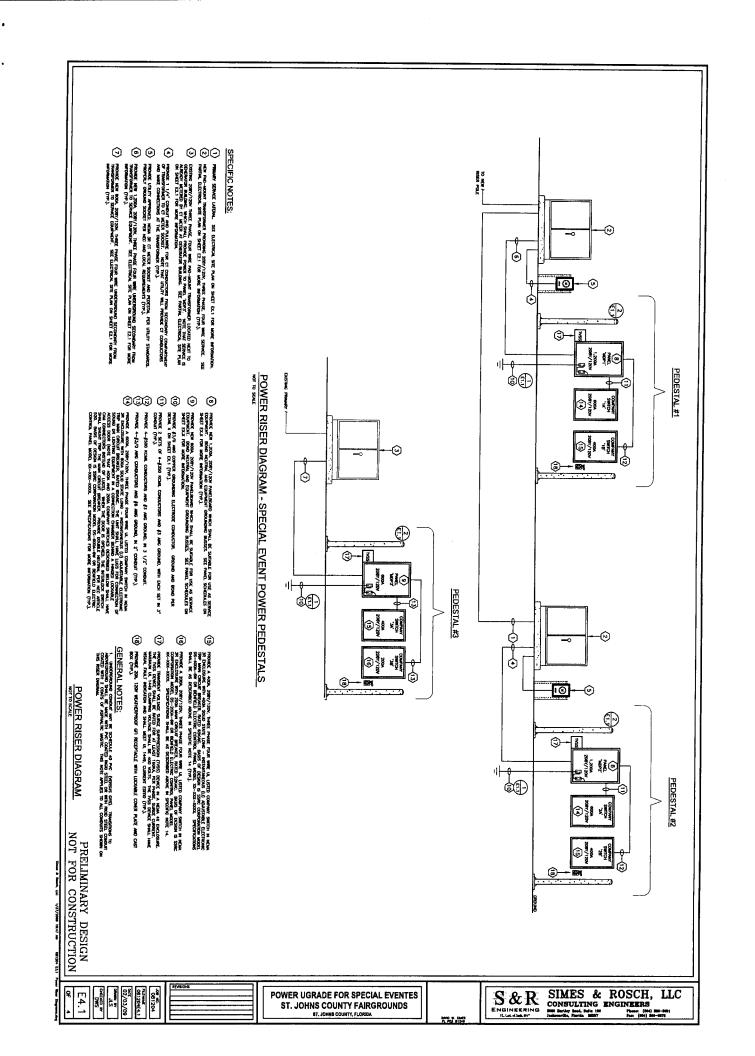
IN WITNESS WHEREOF, the undersigned has signe	d and sealed this instrument on,	, 2009.
Signed, sealed and delivered in the presence of:	GRANTOR: St. Johns County, a political subdivision in State of Florida	n the
(Witness' Signature)	Michael D. Wanchick, County Administrator	
Print Name (Witness)		
(Witness' Signature)		
Print Name (Witness)		
STATE OF FLORIDA COUNTY OF ST. JOHNS.		
The foregoing instrument was acknowledged be Michael D. Wanchick, who is personally known t		.009 by
(SEAL) NOTARY PUBLIC SIGNATURE	_	

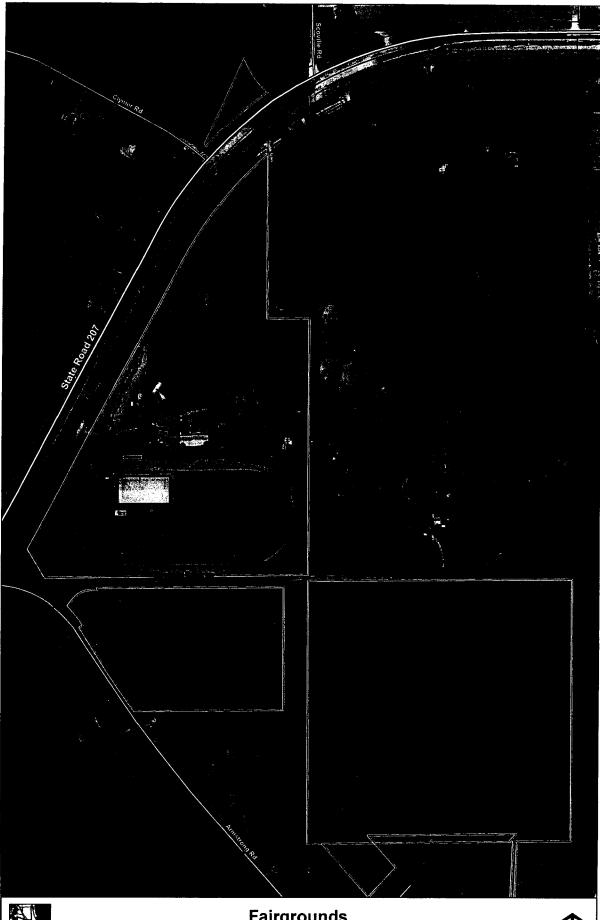
EXHIBIT "A" TO EASEMENT

10' UNDERGROUND FPL EASEMENT

A 10 FOOT EASEMENT, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: A PART OF THE BARTOLA SOLANA DONATION, SECTION 38, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEASTERLY CORNER OF SAID SECTION 38; THENCE SOUTH 89°23'59" WEST, ALONG THE SOUTHERLY LINE OF SAID SECTION 38, A DISTANCE OF 352.62 FEET TO THE POINT OF BEGINNING; THENCE NORTH 08°50'12" WEST FOR A DISTANCE OF 523.82 FEET; THENCE NORTH 13°23'05" WEST FOR A DISTANCE OF 181.46 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE. SAID EASEMENT CONTAINING 7053 SQUARE FEET, MORE OR LESS.









St. Johns County Real Estate Division (904) 209-0794 September 12, 2007

Fairgrounds



2005 Aerial Imagery

DISCLAIMER.
This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy.

