

RESOLUTION NO. 2009- 99

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER SYSTEM TO SERVE THE FOOD LION SHOPPING CENTER IN PALENCIA COMMONS.

RECITALS

WHEREAS, Marshall Creek Retail Investors, LLC, a foreign limited liability company, has executed and presented to the County a Bill of Sale and Schedule of Values, attached hereto as Exhibit "A", conveying all personal property associated with the water system to serve the Food Lion Shopping Center in Palencia Commons; and

WHEREAS, the water line has been installed within public right-of-way therefore no easement is needed; and

WHEREAS, St. Johns County Utility Department has reviewed and approved the document mentioned above, as stated in a memo attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, to the extent that there are typographical, or administrative 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.

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 Bill of Sale attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk of Court is instructed to file the Bill of Sale in the public records of St. Johns County, Florida.

PASSED AND ADOPTED this 21st day of April, 2009.

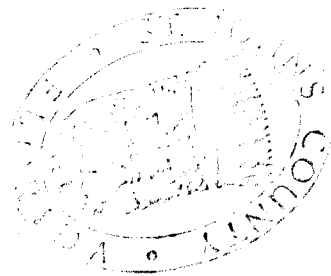
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 4/27/09





BILL OF SALE
UTILITY IMPROVEMENTS
for

Palencia Commons (Food Lion Shopping Center)

Marshall Creek Retail Investors, LLC, 3735 Beam Road, Suite B, Charlotte, NC 28217 (the "Seller") 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:

115 l.f. of 10" DR-18 water pipe, 4" gate valve with box, 2" water service and 4" water service within the FDOT ROW near the entrance to Food Lion at Palencia.
As further described in Exhibit "A".

The Seller does, for itself and its successors and assigns, covenant to and with St. Johns County and its successors and assigns, that it is lawful owner of said personal property; that the personal property is free of all encumbrances; that it has good rights 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, the Seller has caused this instrument to be duly executed and delivered by its duly authorized office on this 17 of Dec., 2008.

WITNESS:

[Signature]
Witness Signature

KEVIN M. DANENPOLT
Print Witness Name

OWNER:

[Signature]
Owner's Signature

WILLIAM L. ALLEN
Print Owner's Name

State of FL
County of St Johns

The foregoing instrument was acknowledged before me this 17th day of December, 2008, by William L. Allen who is personally known to me or has produced _____ as identification.



Patricia C. Trezza
Commission # DD543512
Expires April 23, 2010
Bonded Troy Fain - Insurance, Inc 800-385-7019

[Signature]
Notary Public **PATRICIA C. TREZZA**



Exhibit "A" to Bill of Sale
St. Johns County Utility Department
 Asset Management
 Schedule of Values

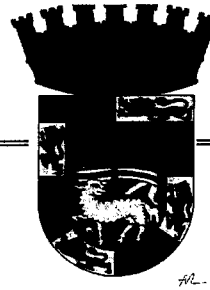
Project Name:	The Shoppes @ Palencia
Contractor:	Jacksonville Eighteen Construction, Inc.
Developer:	Marshall Creek Retail Investors, LLC

UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)			
10" DR-18 Pipe	115	\$ 28.00	\$ 3,220.00
	LF	\$ -	\$ -
	LF	\$ -	\$ -
	LF	\$ -	\$ -
	LF	\$ -	\$ -
Water Valves (Size and Type)			
4" Gate Valve with Box	1	\$ 818.73	\$ 818.73
	Ea	\$ -	\$ -
	Ea	\$ -	\$ -
	Ea	\$ -	\$ -
	Ea	\$ -	\$ -
Hydrants Assembly (Size and Type)			
	Ea	\$ -	\$ -
	Ea	\$ -	\$ -
	Ea	\$ -	\$ -
Services (Size and Type)			
2" Water Service	1	\$ 506.84	\$ 506.84
4" Water Service	1	\$ 3,373.51	\$ 3,373.51
	Ea	\$ -	\$ -
		\$ -	\$ -
Total Water System Cost			\$ 7,919.08

St. Johns County Board of County Commissioners

UTILITY DEPARTMENT
Engineering Division

1205 STATE ROAD 16
SAINT AUGUSTINE, FLORIDA
32084-8646



PHONE: (904) 209-2700
FAX: (904) 209-2601

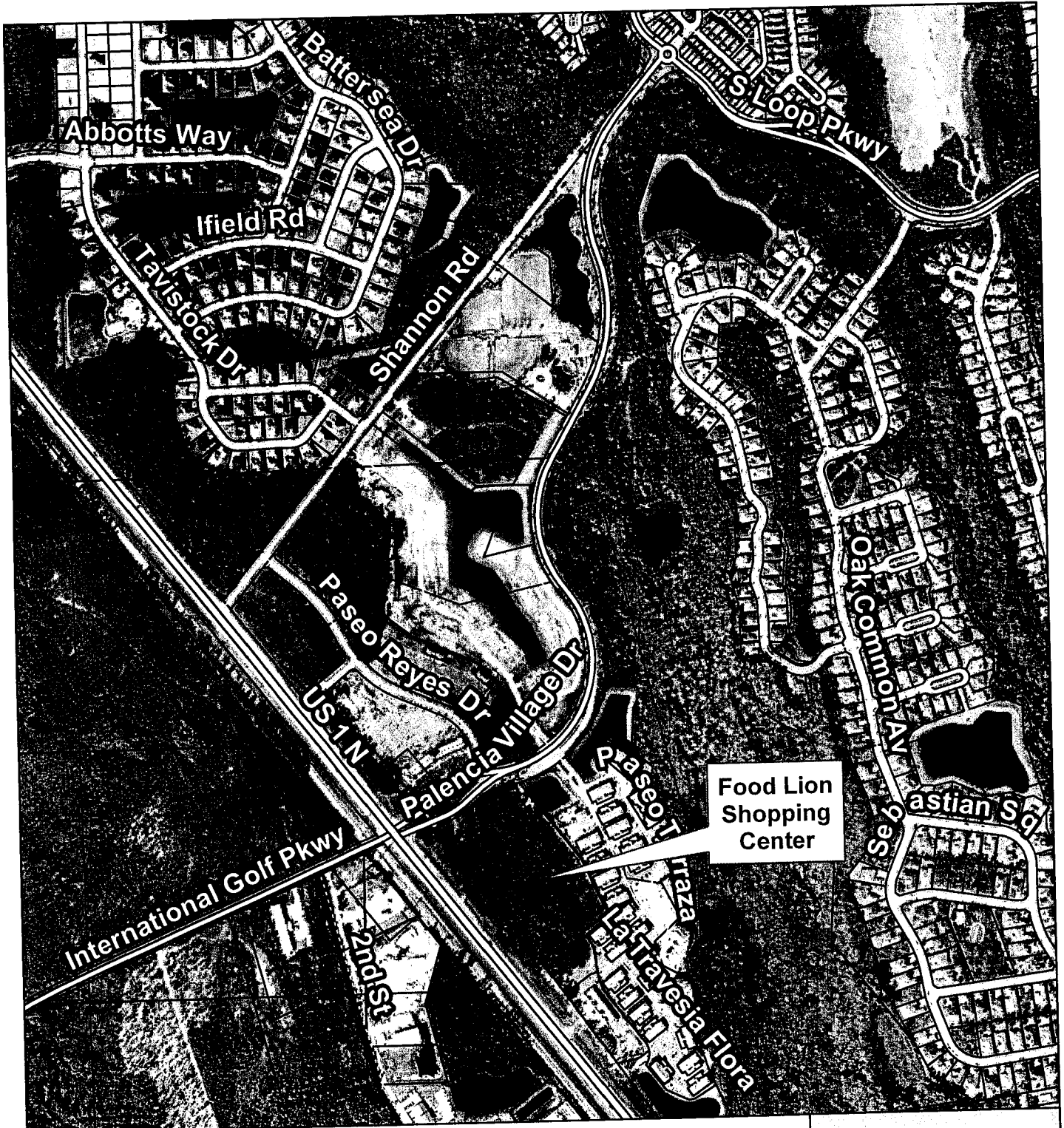
INTEROFFICE MEMORANDUM

TO: Nanette Bradbury, Real Estate Coordinator
FROM: Robert Zammataro, Chief Engineer - Development
SUBJECT: The Shoppes @ Palencia
DATE: March 17, 2009

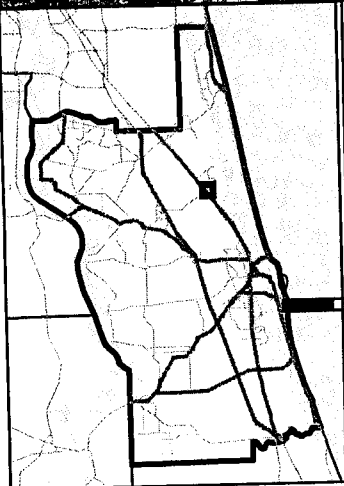
Please present the Bill of Sale and Utility Construction Value documents to the Board of County Commissioners (BCC) for final approval and acceptance of The Shoppes @ Palencia.

After acceptance by BCC, please provide the utility department with a copy of the executed resolution and a recorded copy for the utilities for our files.

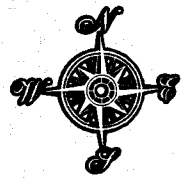
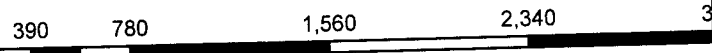
Your support and cooperation as always are greatly appreciated.



Food Lion Shopping Center



Food Lion Shopping Center at Palencia Commons



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
April 3, 2009
(904) 209-0788

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