

RESOLUTION NO. 2010- 268

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SECOND AMENDMENT TO ROADWAY DRAINAGE EASEMENT AGREEMENT AND AUTHORIZING THE BOARD CHAIR TO JOIN IN THE EXECUTION OF THE AGREEMENT ON BEHALF OF THE COUNTY.

RECITALS

WHEREAS, on June 27, 2006, Sonoc Company, LLC, and Tolomato Community Development District granted to St. Johns County that certain Roadway Drainage Easement Agreement recorded in Official Records Book 2739, pages 1767 through 1875, for the drainage of County roads within Nocatee; and

WHEREAS, subsequently, such Agreement was amended by amendment recorded in Official Records Book 3104, page 1375, of the aforesaid records; and

WHEREAS, the parties herein desire to further amend such Agreement with the execution of a Second Amendment to Roadway Drainage Easement Agreement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to provide for the grant of an easement over new easement parcels for the benefit of a new roadway known as Greenleaf Drive, all upon the same terms and conditions set forth in the original Agreement.

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 County hereby accepts the Second Amendment to Roadway Drainage Easement Agreement and the Board Chair is authorized to join in the execution of the Agreement on behalf of the County.

Section 3. The Clerk is instructed to record the original Second Amendment to Roadway Drainage Agreement in the public records of St. Johns County, Florida.

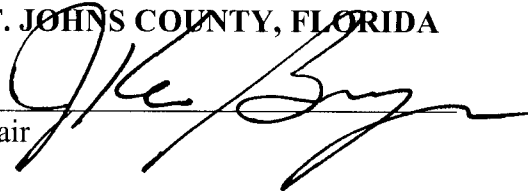
Section 4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of December, 2010.

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

By: _____

Chair



ATTEST: Cheryl Strickland, Clerk

By: _____

Deputy Clerk



RENDITION DATE 12/15/10



THIS DOCUMENT PREPARED
BY AND RETURN TO:
SPENCER N. CUMMINGS, ESQ.
PAPPAS, METCALF, JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE, SUITE 400
JACKSONVILLE, FLORIDA 32202

SECOND AMENDMENT TO ROADWAY DRAINAGE EASEMENT AGREEMENT

THIS SECOND AMENDMENT (the "Amendment") is made as of the ____ day of _____, 2010, by and between **SANDY RIDGE NORTH, LLC**, a Florida limited liability company ("Sandy Ridge"), whose address is 4314 Pablo Oaks Court, Jacksonville, Florida 32224, and **ST. JOHNS COUNTY, FLORIDA** ("County"), a political subdivision of the state of Florida, whose address is 4020 Lewis Speedway St. Augustine, Florida 32085.

RECITALS:

A. On June 27, 2006, SONOC Company, LLC and the Tolomato Community Development District (the "CDD"), together the Grantor, granted to the County, the Grantee, that certain Roadway Drainage Easement Agreement ("Agreement"), such Agreement being recorded July 10, 2006 in Official Records Book 2739, pages 1767 – 1875, public records of St. Johns County, Florida.

B. Subsequently, such Agreement was amended by amendment recorded in Official Records Book 3104, page 1375 of the aforesaid records.

C. The parties herein desire to further amend such Agreement to provide for the grant of an easement over new easement parcels for the benefit of a new roadway, Greenleaf Drive, all upon the same terms and conditions set forth in the Agreement.

NOW THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. Recitals. The above stated recitals are true and correct and hereby incorporated by reference.

2. Easement. Sandy Ridge is the owner of the easement parcel described on Exhibit "A" to the Agreement, Stormwater Management Facility Pond "T1", as described on page 1791 and 1792 of the aforesaid records Book ("Pond T1"). On or about the date of this Amendment, the CDD is dedicating to the County, by plat, the right-of-way of Greenleaf Drive. Sandy Ridge agrees that the County may drain Greenleaf Drive into Pond T1 and Sandy Ridge also grants a drainage easement over and across the land owned by Sandy Ridge as described on **Exhibit "A"** attached to this Amendment, all upon the same terms and conditions as set forth in the Agreement (including Sections 2-8 of the Agreement), and accordingly Sandy Ridge joins in the Agreement as a Grantor

and agrees that the land described on **Exhibit "A"** attached to this Amendment is added to the Easement Property described in the Agreement and that Greenleaf Drive is added to the Property described in the Agreement.

IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the date first written above.

Signed, sealed and delivered
in the presence of:

"SANDY RIDGE"

Print Name LORI A. GODDARD

SANDY RIDGE NORTH, LLC,
a Florida limited liability company

Print Name GAIL L. McGRARY

By: Harry D. Francis
Print Name: Harry D. Francis
Its: Vice President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 27 day of AUGUST, 2010, by Harry D. Francis, the Vice President of **SANDY RIDGE NORTH, LLC**, a Florida limited liability company, on behalf of the company.



Print Name: LORI A. GODDARD
NOTARY PUBLIC
State of Florida at Large
Commission # DD960886
My Commission Expires: 4.27.2014
Personally Known or
Produced ID
Type of Identification Produced:

Signed, sealed and delivered
in the presence of:

“COUNTY”

Print Name _____

ST. JOHNS COUNTY, FLORIDA,
a political subdivision of the state of Florida

Print Name _____

By: _____
Print Name: _____
Title: _____

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____,
2010, by _____, the _____ of **ST. JOHNS
COUNTY, FLORIDA**, on behalf of the County.

Print Name: _____
NOTARY PUBLIC
State of Florida at Large
Commission # _____
My Commission Expires: _____
Personally Known [] or
Produced ID []
Type of Identification Produced:



Robert M. Angas Associates, Inc.
Land Surveyors, Planners and Civil Engineers
Since 1924

14775 Old St. Augustine Road
Jacksonville, FL 32258
Tel: (904) 642-8550
Fax: (904) 642-4165

July 30, 2010
Greenleaf Drive
Page 1 of 1

Work Order No. 10-062.00
File No. 121A-11.00N

Drainage Easement 1

A portion of Section 2, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 1462, page 667, of the Public Records of said county, being more particularly described as follows.

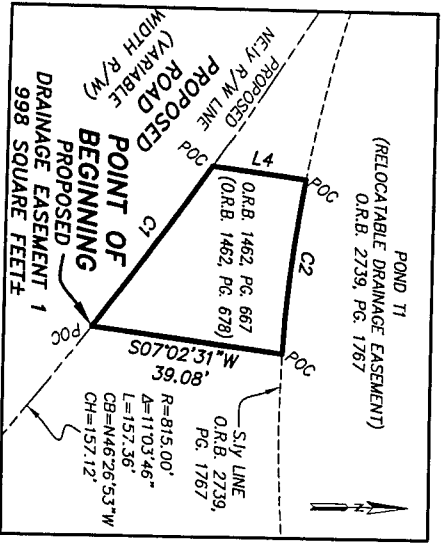
For a Point of Reference, commence at the centerline intersection of Valley Ridge Boulevard, a variable width right of way as presently established, and Austin Park Avenue, a 60 foot right of way as presently established; thence North $40^{\circ}12'33''$ West, along the Northwesterly prolongation of said centerline of Austin Park Avenue, 182.48 feet to a point lying on the Northwesterly right of way line of said Valley Ridge Boulevard; thence North $49^{\circ}47'27''$ East, along said Northwesterly right of way line, 75.00 feet; thence North $40^{\circ}12'33''$ West, departing said Northwesterly right of way line, 252.35 feet; thence North $85^{\circ}12'33''$ West, 14.23 feet to a point on a curve concave Southwesterly having a radius of 815.00 feet; thence Northwesterly, along the arc of said curve, through a central angle of $11^{\circ}03'46''$, an arc length of 157.36 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of North $46^{\circ}26'53''$ West, 157.12 feet.

From said Point of Beginning, thence Northwesterly, along the arc of a curve concave Southwesterly having a radius of 815.00 feet, through a central angle of $02^{\circ}49'45''$, an arc length of 40.24 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $53^{\circ}23'38''$ West, 40.24 feet; thence North $07^{\circ}02'31''$ East, 19.05 feet to a point lying on the Southerly line of Pond T1, as described and recorded in Official Records Book 2739, page 1767 of said Public Records, said point also being a point on a curve concave Northerly, having a radius of 280.00 feet; thence Easterly, along said Southerly line and along the arc of said curve, through a central angle of $07^{\circ}10'00''$, an arc length of 35.02 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $83^{\circ}14'48''$ East, 35.00 feet; thence South $07^{\circ}02'31''$ West, departing said Southerly line, 39.08 feet to the Point of Beginning.

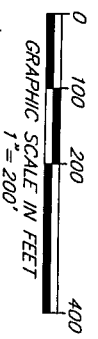
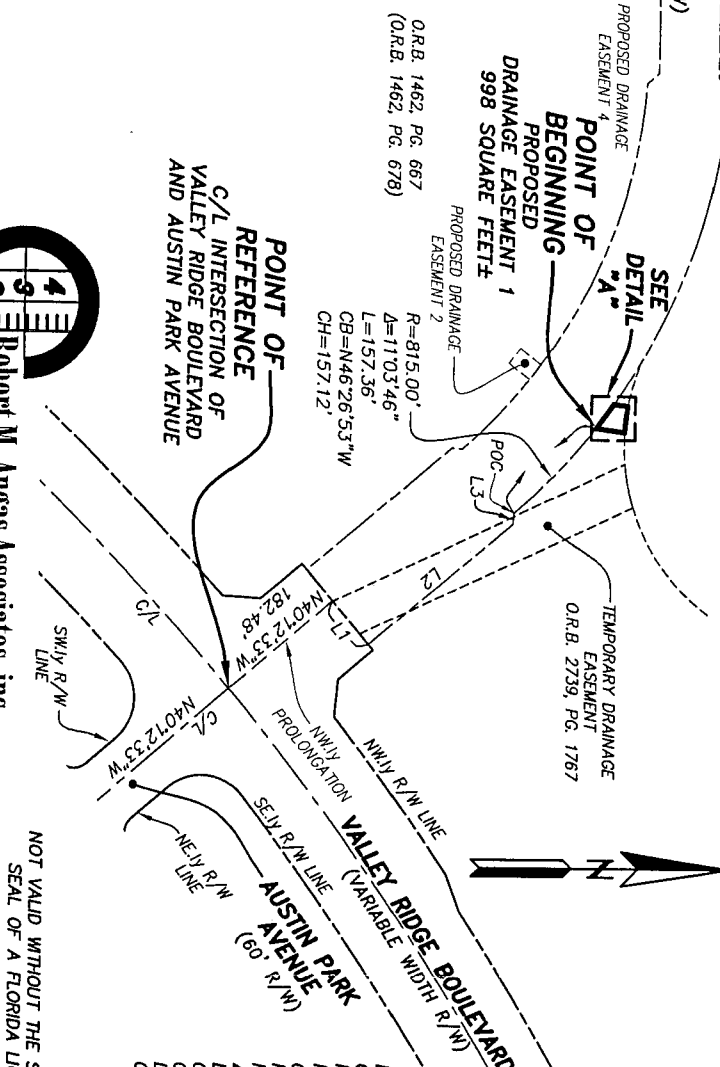
Containing 998 square feet, more or less.

LINE	BEARING	LENGTH
L1	N49°47'27"E	75.00'
L2	N40°12'33"W	252.35'
L3	N85°12'33"W	14.23'
L4	N07°02'31"E	19.05'

CURVE	R	A	L	CB	CH
C1	815.00'	02°49'45"	40.24'	N53°23'38"W	40.24'
C2	280.00'	07°10'00"	35.02'	S83°14'48"E	35.00'



SKETCH TO ACCOMPANY DESCRIPTION OF A PORTION OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 667, OF THE PUBLIC RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



- LEGEND:**
- O.R.B. OFFICIAL RECORDS BOOK
 - P.G. PAGE
 - R/W RIGHT OF WAY
 - C/L CENTERLINE
 - POC POINT ON A CURVE
 - R RADIUS
 - A ARC CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - C1 TABULATED LINE DATA
 - L1 TABULATED CURVE DATA



Robert M. Argas Associates, Inc.
LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS
SINCE 1924

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

NOTES:
1) THIS IS NOT A SURVEY.
2) BEARINGS BASED ON THE CENTERLINE OF AUSTIN PARK AVENUE AS BEING NORTH 40°12'33" WEST.

14775 Old St. Augustine Road, Jacksonville, FL 32258 Tel: (904) 642-8550
Certificate of Authorization No.: LB 3624

DATE: JULY 30, 2010

SCALE: 1"=200'

Damon J. Kelly
DAMON J. KELLY
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA License No. 6284



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July 30, 2010
Greenleaf Drive
Page 1 of 1

Work Order No. 10-062.00
File No. 121A-11.000

Drainage Easement 2

A portion of Section 2, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 1462, page 667, of the Public Records of said county, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of Valley Ridge Boulevard, a variable width right of way as presently established, and Austin Park Avenue, a 60 foot right of way as presently established; thence North $40^{\circ}12'33''$ West, along the Northwesterly prolongation of said centerline of Austin Park Avenue, 182.48 feet to a point lying on the Northwesterly right of way line of said Valley Ridge Boulevard; thence South $49^{\circ}47'27''$ West, along said Northwesterly right of way line, 55.00 feet; thence North $40^{\circ}12'33''$ West, departing said Northwesterly right of way line, 252.35 feet; thence North $04^{\circ}47'27''$ East, 14.04 feet to a point on a curve concave Southwesterly, having a radius of 705.00 feet; thence Northwesterly, along the arc of said curve, through a central angle of $10^{\circ}32'42''$, an arc length of 129.75 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of North $46^{\circ}17'19''$ West, 129.57 feet.

From said Point of Beginning, thence South $37^{\circ}25'23''$ West, 35.00 feet; thence North $52^{\circ}34'37''$ West, 25.00 feet; thence North $37^{\circ}25'23''$ East, 35.00 feet to a point on a curve concave Southwesterly, having a radius of 705.00 feet; thence Southeasterly, along the arc of said curve, through a central angle of $02^{\circ}01'55''$, an arc length of 25.00 feet to a point on said curve and the Point of Beginning, said arc being subtended by a chord bearing and distance of South $52^{\circ}34'37''$ East, 25.00 feet.

Containing 877 square feet, more or less.



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July 30, 2010
Greenleaf Drive
Page 1 of 1

Work Order No. 10-062.00
File No. 121A-11.00P

Drainage Easement 3

A portion of Section 2, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 1462, page 667, of the Public Records of said county, being more particularly described as follows.

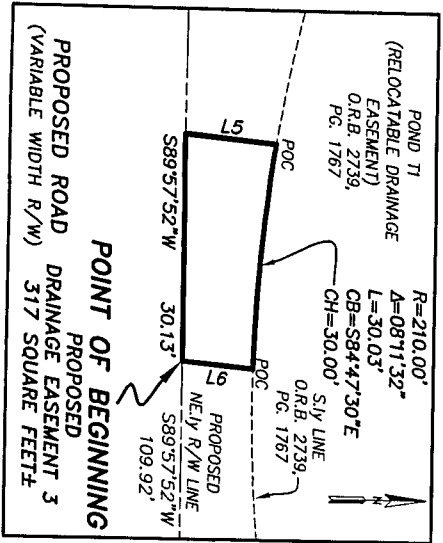
For a Point of Reference, commence at the centerline intersection of Valley Ridge Boulevard, a variable width right of way as presently established, and Austin Park Avenue, a 60 foot right of way as presently established; thence North $40^{\circ}12'33''$ West, along the Northwesterly prolongation of said centerline of Austin Park Avenue, 182.48 feet to a point lying on the Northwesterly right of way line of said Valley Ridge Boulevard; thence North $49^{\circ}47'27''$ East, along said Northwesterly right of way line, 75.00 feet; thence North $40^{\circ}12'33''$ West, departing said Northwesterly right of way line, 252.35 feet; thence North $85^{\circ}12'33''$ West, 14.23 feet to a point on a curve concave Southwesterly having a radius of 815.00 feet; thence Northwesterly, along the arc of said curve, through a central angle of $45^{\circ}35'00''$, an arc length of 648.40 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $63^{\circ}42'30''$ West, 631.43 feet; thence South $48^{\circ}30'00''$ West, 21.42 feet to a point on a curve concave Southerly, having a radius of 800.00 feet; thence Westerly, along the arc of said curve, through a central angle of $02^{\circ}27'04''$, an arc length of 34.22 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $88^{\circ}48'37''$ West, 34.22 feet; thence South $89^{\circ}57'52''$ West, 109.92 feet to the Point of Beginning.

From said Point of Beginning, thence continue thence South $89^{\circ}57'52''$ West, 30.13 feet; thence North $05^{\circ}12'30''$ East, 12.30 feet to a point lying on the Southerly line Pond T1, as described and recorded in Official Records Book 2739, page 1767 of said Public Records, said point also being a point on a curve concave Northerly, having a radius of 210.00 feet; thence Easterly, along said Southerly line and along the arc of said curve, through a central angle of $08^{\circ}11'32''$, an arc length of 30.03 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $84^{\circ}47'30''$ East, 30.00 feet; thence South $05^{\circ}12'30''$ West, departing said Southerly line, 9.55 feet to the Point of Beginning.

Containing 317 square feet, more or less.

LINE	BEARING	LENGTH
L1	N49°47'27"E	75.00'
L2	N40°12'33"W	252.35'
L3	N85°12'33"W	14.23'
L4	S48°30'00"W	21.42'
L5	N05°12'30"E	12.30'
L6	S05°12'30"W	9.55'

CURVE	CURVE TABLE			
	R	Δ	L	CB
CI	800.00'	02°27'04"	34.22'	N88°48'37"W
				34.22'



NOTES:
 1) THIS IS NOT A SURVEY.
 2) BEARINGS BASED ON THE CENTERLINE OF AUSTIN PARK AVENUE AS BEING NORTH 40°12'33" WEST.

DETAIL "A"
 (1"=20')

SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 667, OF THE PUBLIC RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - R/W RIGHT OF WAY
 - C/L CENTERLINE
 - PT POINT ON A CURVE
 - POC POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - L1 TABULATED LINE DATA
 - CI TABULATED LINE DATA

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



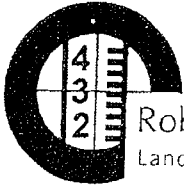
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 LAND SURVEYORS, PLANNERS AND CIVIL ENGINEERS
 SINCE 1924

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 Certificate of Authorization No. LB 3624

DATE: JULY 30, 2010

SCALE: 1"=200'

[Signature]
 DAMON J. KELLY
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LS No. 6294



Robert M. Angas Associates, Inc.
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July 30, 2010
Greenleaf Drive
Page 1 of 1

Work Order No. 10-062.00
File No. 121A-11.00Q

Drainage Easement 4

A portion of Section 2, Township 5 South, Range 28 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 1462, page 667, of the Public Records of said county, being more particularly described as follows.

For a Point of Reference, commence at the centerline intersection of Valley Ridge Boulevard, a variable width right of way as presently established, and Austin Park Avenue, a 60 foot right of way as presently established; thence North $40^{\circ}12'33''$ West, along the Northwesterly prolongation of said centerline of Austin Park Avenue, 182.48 feet to a point lying on the Northwesterly right of way line of said Valley Ridge Boulevard; thence South $49^{\circ}47'27''$ West, along said Northwesterly right of way line, 55.00 feet; thence North $40^{\circ}12'33''$ West, departing said Northwesterly right of way line, 252.35 feet; thence North $04^{\circ}47'27''$ East, 14.04 feet to a point on a curve concave Southwesterly having a radius 705.00 feet; thence Northwesterly, along the arc of said curve, through a central angle of $45^{\circ}29'02''$, an arc length of 559.66 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $63^{\circ}45'29''$ West, 545.08 feet; thence North $41^{\circ}30'00''$ West, 21.00 feet to a point on a curve concave Southerly, having a radius of 720.00 feet; thence Westerly, along the arc of said curve, through a central angle of $02^{\circ}21'15''$, an arc length of 29.58 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $88^{\circ}51'31''$ West, 29.58 feet; thence South $89^{\circ}57'52''$ West, 115.60 feet to the Point of Beginning.

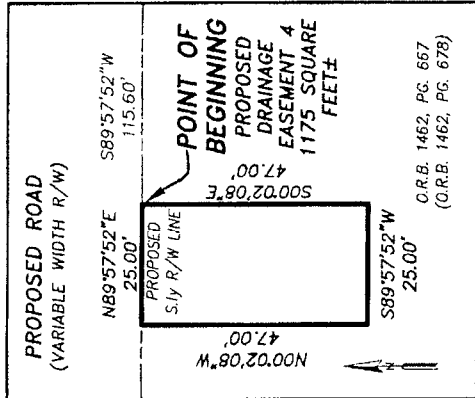
From said Point of Beginning, thence South $00^{\circ}02'08''$ East, 47.00 feet; thence South $89^{\circ}57'52''$ West, 25.00 feet; thence North $00^{\circ}02'08''$ West, 47.00 feet; thence North $89^{\circ}57'52''$ East, 25.00 feet to the Point of Beginning.

Containing 1175 square feet, more or less.

SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1462, PAGE 667, OF THE PUBLIC RECORDS OF SAID COUNTY,

BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.

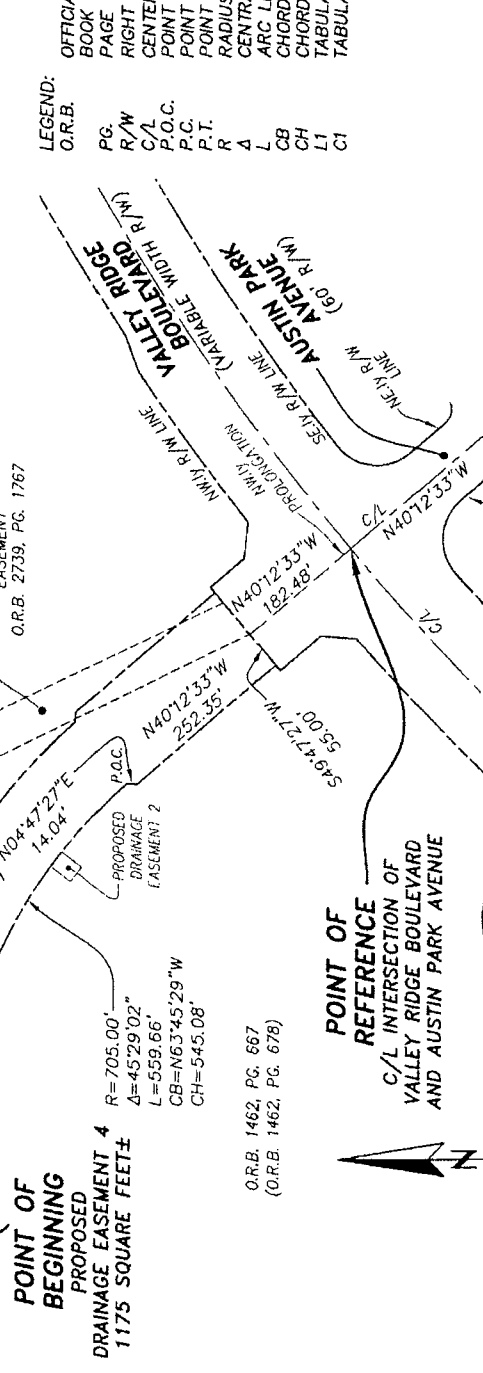


DETAIL "A"
(1"=30')

SEE
DETAIL "A"



GRAPHIC SCALE IN FEET
1"=200'



- LEGEND:
- O.R.B. OFFICIAL RECORDS
 - BOOK BOOK
 - PG. PAGE
 - R/W RIGHT OF WAY
 - C/L CENTERLINE
 - P.O.C. POINT ON CURVE
 - P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - L1 TABULATED LINE DATA
 - C1 TABULATED LINE DATA



POINT OF REFERENCE
C/L INTERSECTION OF
VALLEY RIDGE BOULEVARD
AND AUSTIN PARK AVENUE

CURVE TABLE			
CURVE	R	Δ	L
C1	720.00'	102°21'15"	29.58'
			CB N88°57'31"W
			CH 29.58'

- NOTES:
- 1) THIS IS NOT A SURVEY.
 - 2) BEARINGS BASED ON THE CENTERLINE OF AUSTIN PARK AVENUE AS BEING NORTH 40°12'33" WEST.

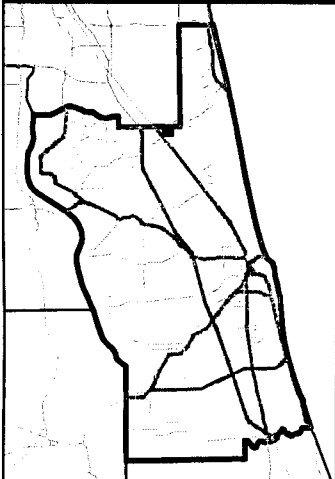
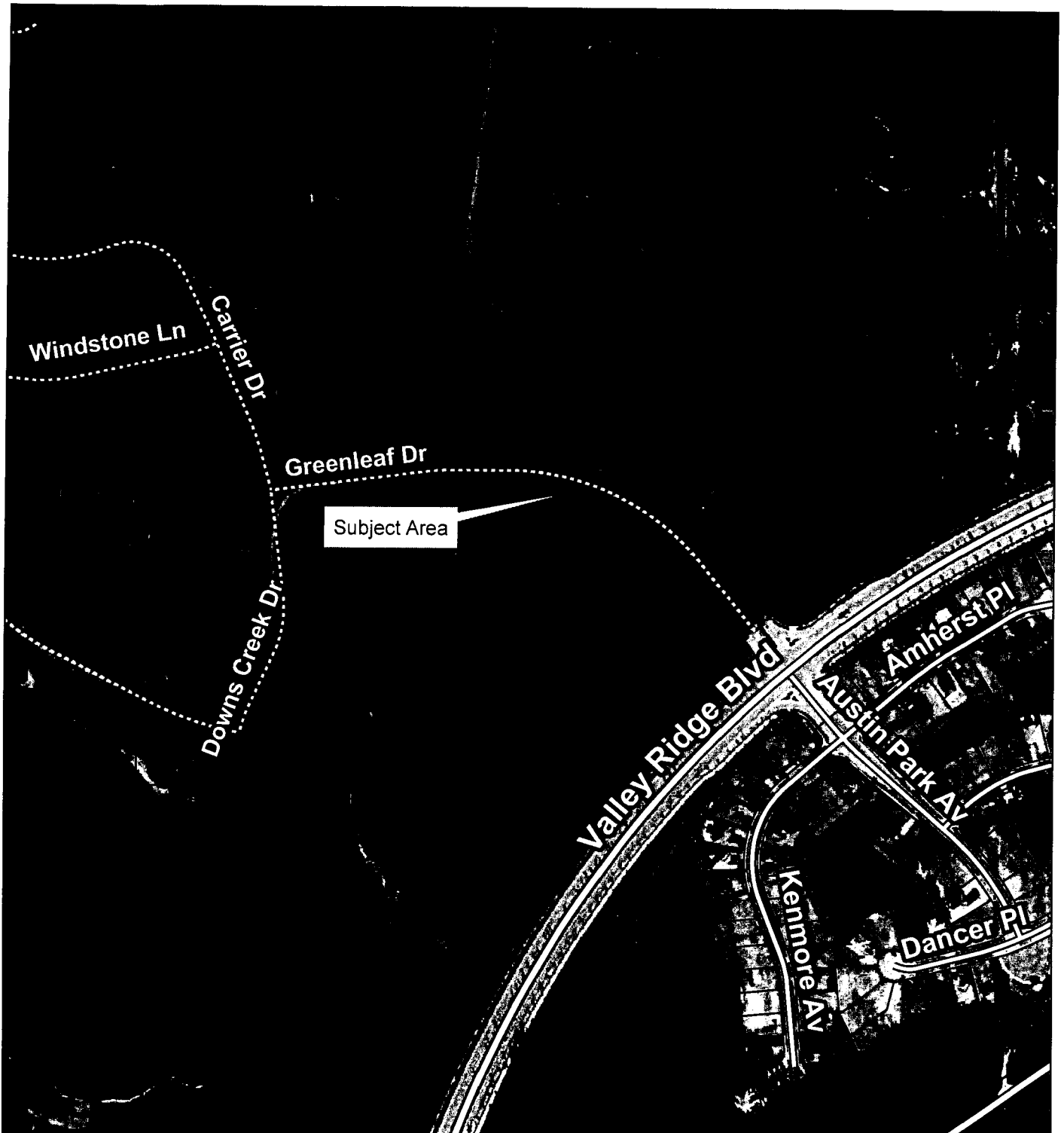
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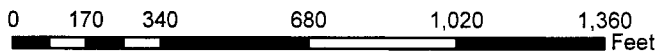
DATE: JULY 30, 2010 SCALE: 1"=200'

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

DAMON J. KELLY
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6284



Drainage Easement Greenleaf Drive Nocatee



St. Johns County
Land Mgmt Systems
Real Estate Division



Map Prepared:
November 9, 2010
(904) 209-0790



**2009 Color Aerial
Imagery Map**

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