

RESOLUTION NO. 2017- 13

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES TO PROVIDE WATER SERVICE TO SOUTH SHORE PLAZA AND ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER LIINES.

RECITALS

WHEREAS, Ruggeri Construction, Inc., a Florida corporation, has executed and presented to the County an Easement for Utilities, attached hereto as Exhibit "A," incorporated by reference and made a part hereof, to provide water service to South Shore Plaza on State Road 206 East; and

WHEREAS, Ruggeri Construction, Inc. has executed a Bill of Sale and schedule of values conveying all personal property associated with the water lines, attached hereto as Exhibit "B," incorporated by reference and made a part hereof.; and

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

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 Easement for Utilities and Bill of Sale attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

Section 3. To the extent that there are typographical, scriveners 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.

Section 4. The Clerk of the Circuit Court is instructed to record the original Easement for Utilities and file the Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 17th day of January, 2017.

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

By: _____
James K. Johns, Chair

ATTEST: Hunter S. Conrad, Clerk

By: Pam Daltman
Deputy Clerk

RENDITION DATE 1/20/17

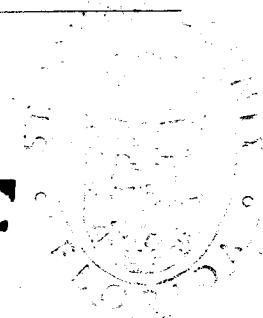


EXHIBIT "A" TO RESOLUTION

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 11 day of July, 2016 by **JOHN RUGGERI/RUGGERI CONSTRUCTION, INC.**, with an address of 811 S.R. 206 East, St. Augustine, FL 32086, hereinafter called "Grantor" to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine FL 32084, hereinafter called "Grantee".

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor agrees as follows:

1. Grantor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee a non-exclusive permanent easement and right-of-way to install, construct, operate, maintain, repair, replace and remove pipes and mains constituting the underground water meters over and upon the real property described on Exhibit A attached hereto (the "Easement Area"); together with rights of ingress and egress to access the Easement Area as necessary for the use and enjoyment of the easement herein granted. This easement is for water and/or sewer utility services only and does not convey any right to install other utilities such as cable television service lines.

TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

The easement herein granted is subject to covenants, restrictions, easements, liens and encumbrances of record.

(a) Grantor reserves the right and privilege to use and occupy and to grant to others the right to use and occupy (i) the surface and air space over the Easement Area for any purpose which is consistent with the rights herein granted to Grantee; and (ii) subsurface of the Easement Area for other utility services or other purposes which do not interfere with the rights herein granted to Grantee, including, without limitation, the right to install, construct, operate, maintain, repair, replace and remove telecommunications, telephone, telegraph, electric, gas and drainage facilities and foundations, footing and/or anchors for surface improvements.

(b) All Utility Lines and Associated Equipment will be installed, operated and maintained at all times beneath the surface of the Easement Area provided that the same may be temporarily exposed or removed to the surface when necessary or

desirable for the purpose of repairing and/or replacing the same. Provided, however, that Associated Equipment that is customarily installed above ground may be installed above ground subject to the right of Grantor, consistent with good engineering practices to approve the location of such above ground installation in its reasonable discretion.

(c) The easement granted by this instrument may be relocated to a location acceptable to the Grantee at any time upon Grantor's request provided that Grantor bears the cost of relocating the underground water and sewer utility lines and facilities located within the Easement area. At Grantor's request, and upon relocation of such lines at Grantor's expense, Grantee and Grantor shall execute an instrument in recordable form relocating the easement hereby granted to the new Easement Area designated by and in the title of the Grantor.

(d) Grantee shall exercise the easement rights conveyed herein in a manner which will not unreasonably interfere with use and occupancy of residential or commercial improvements constructed upon the adjacent property owned by Grantor.

2. (a) WATER SYSTEM - The Grantee shall maintain water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines located within the boundary of the Grantor's property excluding the water meters.

3. After any installation, construction, repair, replacement or removal of any utility lines or equipment as to which easement rights are granted, Grantee shall refill any holes or trenches in a proper and workmanlike manner to the condition existing prior to such installation, construction, repair, replacement or removal, but Grantee shall not be responsible for restoration of sod, landscaping, planting, pavement or other surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of utility lines or equipment. To the extent permitted by law, however, Grantee shall be responsible for damage to improvements that are caused by Grantee's negligence.

4. This Grant of Easement shall inure to the benefit of and be binding of and be binding upon Grantee and its successors and assigns.

5. For the purposes of the terms and conditions of this Grant of Easement, "Grantor" means the owner from time to time of the Easement Area or any part thereof.

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

Signed, sealed and delivered
In the presence of:

Juliana Ruggen
Witness Signature

Juliana Ruggen
Print Name

By: [Signature]
Print Name: John Ruggen / Ruggen Construct

Its: President

[Signature]
Witness Signature

Sheei Lewis
Print Name

State of Florida
County of St Johns

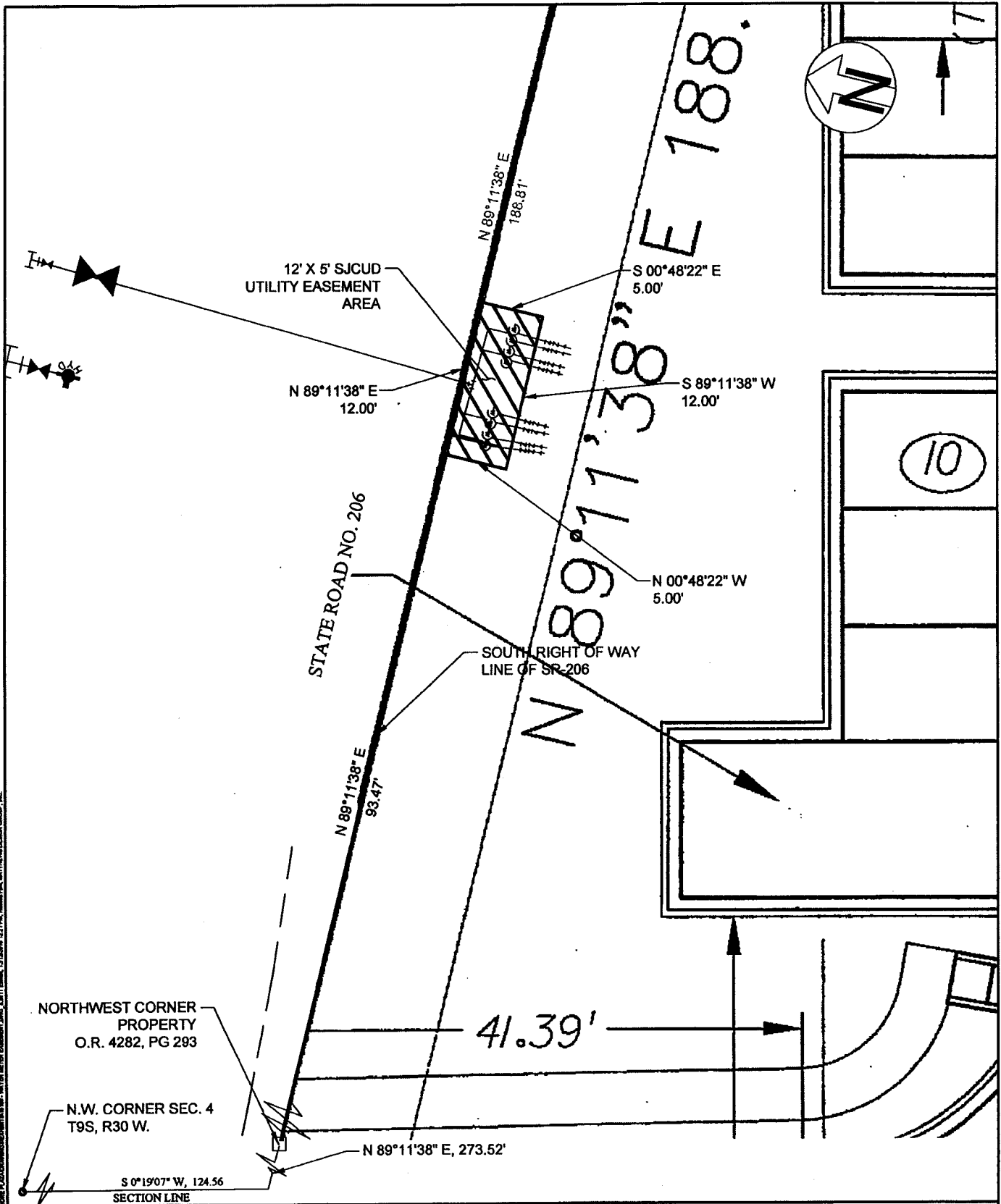
The foregoing instrument was acknowledged before me this 11th day of July, 2016 by John R. Ruggen who is personally known to me or has produced _____ as identification.




MARTHA L. LONDONO
MY COMMISSION # FF 075888
EXPIRES: December 11, 2017
Bonded Thru Budget Notary Services

Martha L Londono
Notary Public

EXHIBIT "A" TO EASEMENT FOR UTILITIES



SHEET NO. 1	WATER SERVICE EASEMENT EXHIBIT		DESIGN BY: RDF	MATTHEWS DESIGN GROUP, INC. P.O. BOX 3126, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1334 FAX: 904.826.4547 INFO@MATTHEWSDESIGN.NET
	SOUTH SHORE PLAZA ST. JOHNS COUNTY, FLORIDA		DRAWN BY: RDF	
OF 2	PREPARED FOR JOHN RUGGERI		CHECKED BY: RAM	
			DATE: 12/12/2018	
			JOB NO: 15109	

5 foot wide Utility Easement

A 5 foot wide appurtenant Utility Easement, for the purpose of access, repair, replacement, and regular maintenance of the existing water main and valves, being located within a property parcel, recorded in the St. Johns County Clerk of Courts, O.R. 4282 page 293, and also lying in Section 4, Township 9 South Range 30 East, St. Johns County, Florida, being bounded on the North by the South right of way line of State Road number 206, and being more particularly described as follows;

Commencing S 0° 19'07" W, a distance of 124.56 feet along said west section line; thence N 89°11'38" E, a distance of 273.52 feet along said south right of way line of State Road number 206 to the Northwest corner of said property parcel, thence continuing along said south right of way line N 89°11'38" E, a distance of 93.47 feet from the Northwest Corner of said Section 4, to the point of beginning of said easement, and running thence N 89°11'38" E, a distance of 12.00 feet along said right of way line; thence S 0°48'22" E, a distance of 5.00 feet; thence S 89°11'38" W, a distance of 12.00 feet thence N 0°48'22" W, a distance of 5.00 feet to the point of beginning. Contains 60 square feet more or less.

Easement description and basis of bearing is based on a survey completed by Geomatics Corp., project number 15-2300, Dated 12/08/2015, by Terry M. Durden, PSM.

S:\PROJECTS\2015\15-2300\15-2300-001\15-2300-001-001\15-2300-001-001-001.dwg - WATER MAINS PLACEMENT - 12/11/2015 11:51 AM - TERRY M. DURDEN, PSM. MATTHEWS DESIGN GROUP, INC.

SHEET NO. 2 OF 2	WATER SERVICES EASEMENT DESCRIPTION	DESIGNED BY: RDF	MATTHEWS DESIGN GROUP, INC. P.O. BOX 3126, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1334 FAX: 904.826.4547 INFO@MATTHEWSDESIGN.NET
	SOUTH SHORE PLAZA ST. JOHNS COUNTY, FLORIDA PREPARED FOR JOHN RUGGERI	DRAWN BY: RDF	
		CHECKED BY: RAM	
		DATE: 12/12/2016	
		JOB NO.: 15109	



EXHIBIT "B" TO RESOLUTION



BILL OF SALE
UTILITY IMPROVEMENTS
for
SOUTH SHORE PLAZA

811 S.R. 206 East

John Ruggeri/Ruggeri Construction/205 W. Water Way, Suite 1 St. Augustine, Fl 32086, (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:

"SEE EXHIBIT A SCHEDULE OF VALUES FOR South Shore Plaza.

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 26 of July, 2016

WITNESS:

Jacey Gwaltney
Witness Signature

Jacey Gwaltney
Print Witness Name

OWNER:

[Signature]
Owner's Signature

JOHN Ruggeri
Print Owner's Name

State of FLORIDA
County of St. JOHNS

The foregoing instrument was acknowledged before me this 26th day of July, 2016, by JOHN Ruggeri who is personally known to me or has produced _____ as identification.



Grace April Jaudon
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF916573
Expires 9/9/2019

[Signature]
Notary Public



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: South Shore Plaza
 Contractor: Burney's Septic Tanks Service, Inc
 Developer: Ruggeri Construction

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
8" C900 DR 18 PVC Blue	LF	20	\$ 7.99	\$ 159.80
2" Poly Blue	LF	40	\$ 1.72	\$ 68.80
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
4" MJ Valve	Ea		\$ 405.00	\$ 405.00
8" x 4" SS Sleeve	Ea		\$ 495.00	\$ 495.00
6" Valve	Ea		\$ 590.00	\$ 590.00
2" Gate Valve	Ea	2	\$ 305.00	\$ 610.00
8"x6" SS Sleeve	Ea		\$ 741.00	\$ 741.00
Hydrant Assembly (Size and Type)				
5 1/4" Hydrant Assembly	Ea		\$ 1,502.00	\$ 1,502.00
			\$ -	\$ -
			\$ -	\$ -
Services (Size and Type)				
1" Water Service	Ea	8	\$ 193.13	\$ 1,545.04
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
Total Water System Cost				\$ 6,116.64



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: South Shore Plaza
 Contractor: Burney's Septic Tank Service, Inc
 Developer: Ruggeri Construction

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Force Mains (Size, Type & Pipe Class)				
6" C900 DR 18 PVC Green	LF	20	\$ 4.78	\$ 95.60
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Sewer Valves (Size and Type)				
	Ea			
	Ea			
	Ea			
	Ea			
	Ea			
Gravity Mains (Size, Type & Pipe Class)				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Laterals (Size and Type)				
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
Manholes (Size and Type)				
4-6 foot deep	EA		\$ -	\$ -
6-8 foot deep	EA		\$ -	\$ -
8-10 foot deep	EA		\$ -	\$ -
10-12 foot deep	EA		\$ -	\$ -
> 12 foot deep	EA		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
Lift Station				
Mechanical Equipment	Lump Sum		\$ -	\$ -
Process Piping	Lump Sum		\$ -	\$ -
Process Structure	Lump Sum		\$ -	\$ -
Process Electrical Equipment	Lump Sum		\$ -	\$ -
Other Improvements	Lump Sum		\$ -	\$ -
Total Sewer System Cost				\$ 95.60



EXHIBIT "C" TO RESOLUTION

St. Johns County Board of County Commissioners

Utility Department

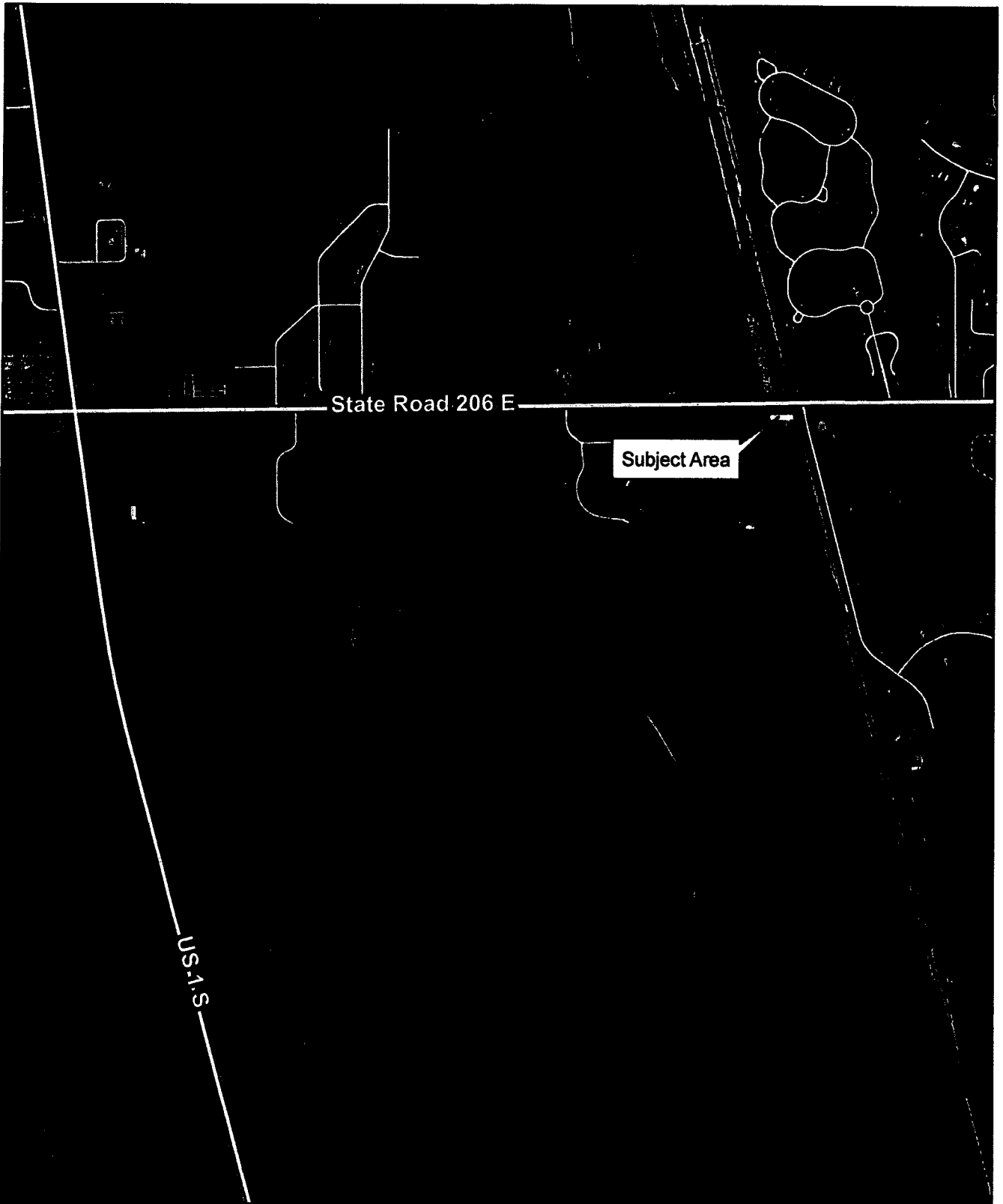
INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: South Shore Plaza
DATE: December 13, 2016

Please present the Easement, Bill of Sale and Schedule of Values to the Board of County Commissioners (BCC) for final approval and acceptance of South Shore Plaza.

After acceptance by BCC, please provide the Utility Department with a copy of the executed resolution for our files.

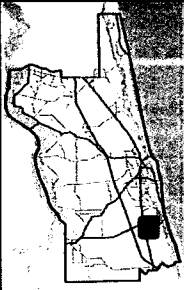
Your support and cooperation as always are greatly appreciated.



State Road 206 E

Subject Area

US-1 S



2013 Aerial Imagery
0 500 1,000
Feet
December 14, 2016

Easement for Utilities and Bill of Sale

South Shore Plaza

Land Management
Systems
Real Estate
Division
(904) 209-0764

Disclaimer:
This map is for reference use only.
Data provided are derived from multiple
sources with varying levels of accuracy.
The St. Johns County Real Estate
Division disclaims all responsibility
for the accuracy or completeness
of the data shown hereon.

