

RESOLUTION NO. 2018- 122

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT OF EASEMENTS TO ALLOW FOR IMPROVEMENTS TO AN EXISTING DITCH SOUTH OF SUNSET PARK SUBDIVISION.

RECITALS

WHEREAS, the owners of property along and south of Floridian Avenue in Sunset Park Subdivision have executed and presented to the County, Grant of Easements, attached hereto as Exhibit "A", Exhibit "B", Exhibit "C", Exhibit "D" and Exhibit "E", incorporated by reference and made a part hereof; and

WHEREAS, the easements will allow the County to perform much needed improvements and future maintenance when necessary to an existing ditch that provides drainage for Sunset Park Subdivision and surrounding areas; and

WHEREAS, Compass Bank has also signed a Grant of Easement, attached hereto as Exhibit "F", incorporated by reference and made a part hereof, granting the County ingress and egress across a rear portion of its property to get from Rosewood Street in Sunset Park to the ditch area; and

WHEREAS, it is in the best interest of the County to accept the Grant of Easements for the health, safety and welfare of its citizens.

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 into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby accepts the Grant of Easements for the purposes mentioned above.

Section 3. The Clerk is instructed to record the original Grant of Easements 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 this 1 day of May, 2018.

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

By: Henry Dean
Henry Dean, Chair

ATTEST: Hunter S. Conrad, Clerk

By: Pam Halteeman
Deputy Clerk

RENDITION DATE 5/3/18



Exhibit "A" to Resolution

Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 29 day of Sept, 2017, between CHARLES J. SOUTHARD and CHERYL A. SOUTHARD, f/k/a CHERYL A. LEDFORD, whose address is 35102 Bakewell Street, Westland, Michigan 48185-2149, hereinafter called GRANTOR, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called GRANTEE.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

The South 15 feet of Lots 1 and 2, Block 8, Sunset Park, as recorded in Map Book 8, page 72, of the public records of St. Johns County, Florida.

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.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

Remza Kulagic
Signature
REMZA KULAGIC
Print
[Signature]
Signature
DETTY EASTER
Print

Charles J. Southard
Charles J. Southard
Cheryl A. Southard
Cheryl A. Southard

STATE OF Michigan
COUNTY OF Wayne

The foregoing instrument was acknowledged before me 29 day of Sept, 2017, by Charles J. Southard and Cheryl A. Southard, who are personally known to me or have produced driver licence as identification.

[Signature]
Notary Public
My Commission Expires: Nov 14 2017

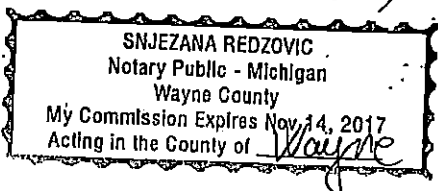


Exhibit "B" to Resolution

Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 29 day of Sept, 2017, between DIANE LEDFORD REZA and ANDREA MARIE KNESHTEL, whose address is 34590 Hunter Avenue, Westland, Michigan 48185-2775, hereinafter called GRANTOR, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called GRANTEE.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

The South 15 feet of Lot 3, Block 8, Sunset Park, as recorded in Map Book 8, page 72, of the public records of St. Johns County, Florida.

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.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

Diane Ledford Reza
Signature

Diane Ledford Reza
Diane Ledford Reza

Diane Ledford Reza
Print

Andrea Marie Kneshtel
Signature

Andrea Marie Kneshtel
Andrea Marie Kneshtel

Andrea Marie Kneshtel
Print

CHARLES J. SOUTHWARD
Charles J. Southard WITNESS

STATE OF Michigan
COUNTY OF Wayne

The foregoing instrument was acknowledged before me 29 day of September, 2017, by Diane Ledford Reza and Andrea Marie Kneshtel, who are personally known to me or have produced Driver licence as identification.

Witnessed:
Charles J. Southard
Charles J. Southard

Clodovic
Notary Public

My Commission Expires: Nov 14, 2017

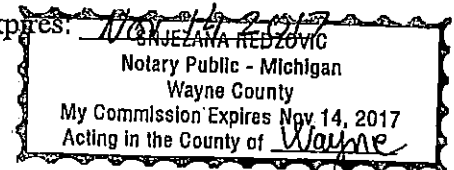


Exhibit "C" to Resolution

Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 24th day of September, 2017, between KATHLEEN ANN KING and JOHN WALTER KING, whose address is 410 Ozark Trail, Madison, Wisconsin 53705-2537, hereinafter called GRANTOR, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called GRANTEE.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

The South 15 feet of Lot 4, Block 8, Sunset Park, as recorded in Map Book 8, page 72, of the public records of St. Johns County, Florida.

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.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

Elizabeth Green
Kathleen A King
Signature Elizabeth Green

Print Kathleen A King

Signature Roland Green

Print

Kathleen A King
Kathleen Ann King

John Walter King
John Walter King

STATE OF Dane
COUNTY OF Wisconsin

The foregoing instrument was acknowledged before me 24th day of September, 2017, by Kathleen Ann King and John Walter King, who are personally known to me or have produced _____ as identification

Colleen W. Green
Notary Public

My Commission Expires: is permanent

Exhibit "D" to Resolution

Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 22nd day of September, 2017, between GREGORY W. PYLE and KATHLEEN Z. PYLE, husband and wife, whose address is 345 Floridian Avenue, St. Augustine, Florida 32080, hereinafter called GRANTOR, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called GRANTEE.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee; its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

The South 15 feet of Lots 5, 6 and 7, Block 8 and the East 10 feet of Lot 7, Block 8, Sunset Park, as recorded in Map Book 8, page 72, of the public records of St. Johns County, Florida.

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.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses;

[Signature]
Signature
DENNIS CORRIGAN
Print
[Signature]
Signature
W. R. UPSON
Print

[Signature]
Gregory W. Pyle
[Signature]
Kathleen Z. Pyle

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me 22nd day of September, 2017, by Gregory W. Pyle and Kathleen Z. Pyle, who are personally known to me or have produced _____ as identification.

[Signature]
Notary Public
My Commission Expires: Aug 5, 2019

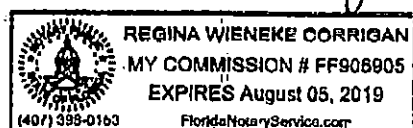


Exhibit "E" to Resolution

Prepared by:
Laurie Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 9th day of January 2018, between JACK R. BARNES and SUSAN BARNES, husband and wife, whose address is 50 Islander Circle, St. Augustine, Florida 32080, hereinafter called GRANTOR, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called GRANTEE.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter and maintain the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

The South 15 feet of and the West 10 feet of Lot 8, Block 8, Sunset Park, as recorded in Map Book 8, page 72, of the public records of St. Johns County, Florida.

TO HAVE AND TO HOLD, unto Grantee, its 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.

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our Presence as Witnesses:

[Signature]
Signature

Ryan Coculizza
Print

[Signature]
Signature

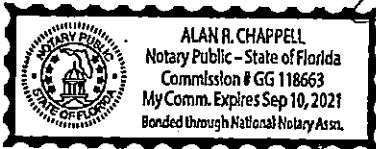
Alan R. Chappell
Print

[Signature]
Jack R. Barnes

[Signature]
Susan Barnes

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 9 day of January '18, by Jack R. Barnes and Susan Barnes who are personally known to me or have produced as identification.



[Signature]
Notary Public
My Commission Expires: 10/10/21

Exhibit "F" to Resolution

Prepared by:
Lauris Ford
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this _____ day of _____, 2018, between COMPASS BANK, an Alabama banking corporation, whose address is 15 South 20th Street, Birmingham, Alabama 35213 hereinafter called Grantor, and ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, hereinafter called Grantee.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, its successors and assigns, a non-exclusive perpetual easement for ingress and egress over and across the following described real property situate in St. Johns County, Florida, to-wit:

The property as described on attached Exhibit "A", incorporated by reference and made a part hereof. ("Easement Area")

Grantee shall repair and restore to its original condition any of the Easement Area that may be altered or damaged in connection with the Grantee's use of the Easement Area. Grantee shall undertake reasonable efforts to minimize the disturbance to Grantor's remaining property not subject to this easement.

Grantor has not made, do not make and specifically negate and disclaim any representations, warranties, promises, covenants, agreements or guaranties of any kind or character whatsoever, whether expressed or implied, oral or written, past, present or future, of, as to, concerning or with respect to the Easement Area including, without limitation:

(a) The value, nature, quality or condition of the Easement Area, including without limitation the water, soil and geology and status of any permits and governmental approval;

(b) The suitability of the Easement Area for any and all activities and uses which Grantee may conduct thereon;

(c) The compliance of or by the Easement Area with any laws, rules, ordinances or regulations of any applicable governmental authority or body;

(d) Grantor has not made, does not make and specifically disclaims any representation that Grantor has offered any financing for this transaction; or

(e) Other matters with respect to the Easement Area and specifically that Grantor has not made, does not make and specifically disclaims any representation regarding Hazardous Materials or that the Easement Area complies and will comply in all respects with applicable environmental laws, rules, regulations, and court or administrative orders. As used herein, the term "Hazardous Materials" include without limitation, any asbestos, urea formaldehyde foam insulation, flammable explosives, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances, or related or unrelated substances or materials defined, regulated, controlled, limited or prohibited in the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), (42 U.S.C. Sections 9601, *et seq.*), the Hazardous Materials Transportation

Act, (49 U.S.C. Sections 1801 *et seq.*), the Resource Conservation and Recovery Act (RCRA), (42 U.S.C. Sections 6901, *et seq.*), the Clean Water Act, (33 U.S.C. Sections 1251, *et seq.*), the Clean Air Act, (42 U.S.C. Sections 7401, *et seq.*), the Toxic Substances Control Act, (15 U.S.C. Sections 2601 *et seq.*), each such Act as amended from time to time, or in the rules, regulations and publications adopted and promulgated pursuant thereto, or in the rules and regulations of the Occupational Safety and Health Administration (OSHA) pertaining to occupational exposure to asbestos, as amended from time to time, or in any other federal, state or local environmental law, ordinance, rule, or regulation now or hereafter in effect.

TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid.

[Signature(s) on the following page(s)]

IN WITNESS WHEREOF, the said Grantor has hereunto set hand and seal the day and year first above written.

Signed and Sealed in Our
Presence as Witness:

(sign) Kimberly Undergriff
(print) Kimberly Undergriff

COMPASS BANK, an Alabama
banking corporation

By: CP Zalatoris
Its: EMP

STATE OF TEXAS
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 26 day of February, 2018, by Catherine R. Zalatoris, as Executive Vice President of Compass Bank, an Alabama banking corporation, on behalf of the corporation. Who is personally known to me.

Wendy Roland
Notary Public
My Commission Expires: 10/12/19

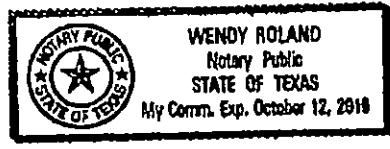


Exhibit "A"

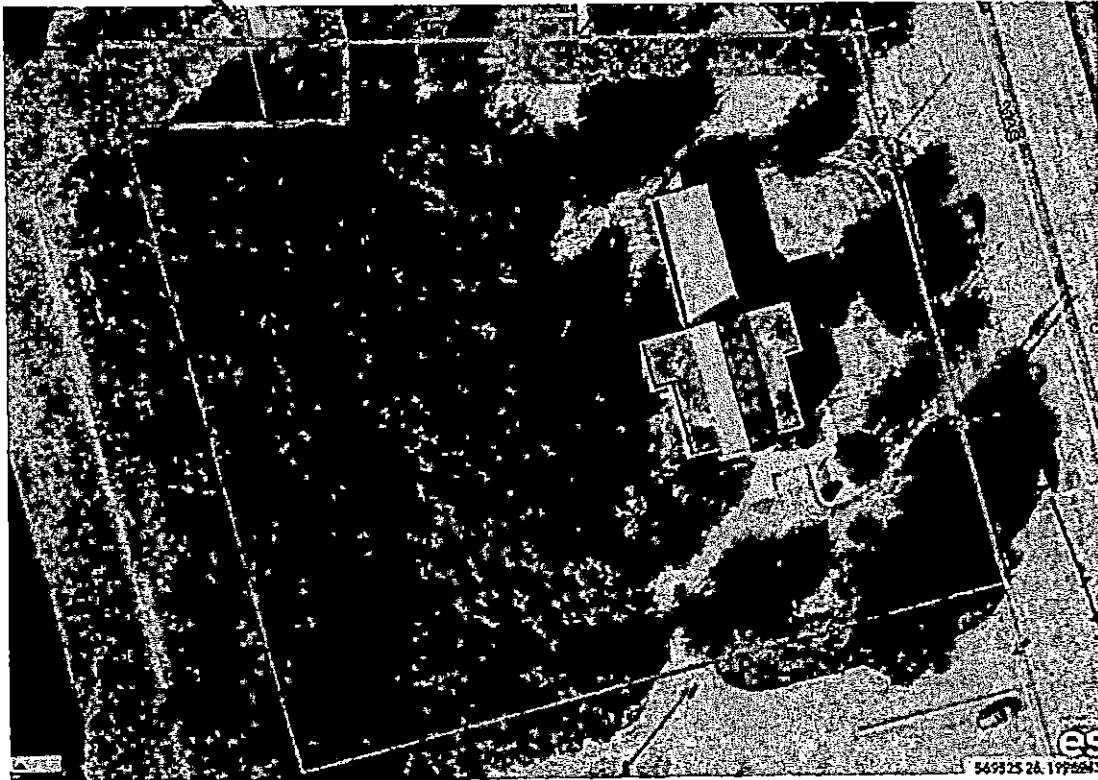
The West 103.22 feet of the following described property:

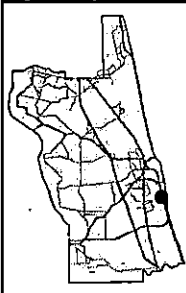
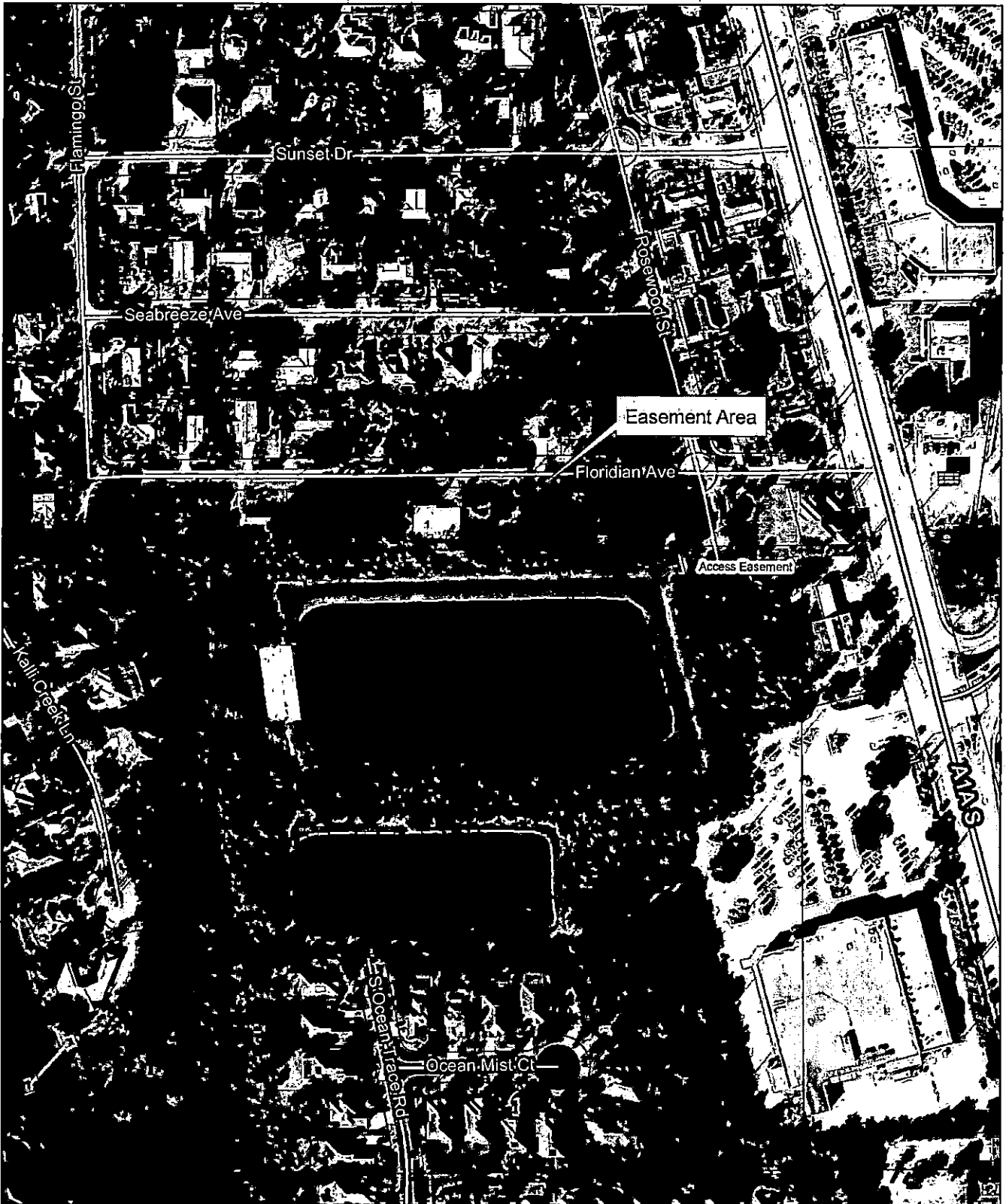
A parcel of land Government Lots 3 and 4, Section 10, Township 8 South, Range 30 East, being more particularly described as follows:


Begin at the Southeast corner of Lot 2, Block Twelve, Sunset Park Subdivision as recorded in Map Book 8, Pages 71 and 72, of the public records of St. Johns County, Florida; thence run South $14^{\circ}49'53''$ East, a distance of 30.95 feet; thence South $89^{\circ}25'31''$ West, a distance of 309.53 feet; thence run North $14^{\circ}49'53''$ West, a distance of 30.95 feet; thence North $89^{\circ}25'31''$ East, a distance of 309.53 feet to the POINT OF BEGINNING.

The Easement Area is more particularly depicted below:

Easement Area






 2016 Aerial Imagery
 0 50 100
 Feet
 March 29, 2018

Sunset Park Subdivision
Grant of Easements

Drainage Ditch

Land Management
Systems
Real Estate
Division
(904) 209-0790
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.

