

RESOLUTION NO. 2018- 372

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE PAYMENT OF LEGAL AND ENVIRONMENTAL CONSULTING FEES ASSOCIATED WITH THE LAND ACQUISITION OF FUTURE CR 2209 FROM STAR INVESTORS IV LIMITED, LLLP, A FLORIDA LIABILITY LIMITED PARTNERSHIP.

RECITALS

WHEREAS, on December 20, 2016, the Board of County Commissioners (“County”) adopted Resolution 2016-407 approving the terms and authorizing the County Administrator, or Designee, to execute a Purchase and Sale Agreement with Star Investors IV Limited, LLLP (“Star Investors”) to purchase approximately 65 acres of property for the future CR 2209; and

WHEREAS, on August 9, 2017, an Addendum to the Purchase and Sale Agreement was executed by both parties limiting the contemplated professional fees associated with the sellers legal and environmental consulting services to an amount not to exceed \$36,000 dollars; and

WHEREAS, on September 18, 2018, the County Administrator received a letter from Star 4 Ranch, Inc. requesting consideration by the County for reimbursement of an additional \$42,765 dollars which represents the additional fees (over and above \$36,000 dollars) that were paid by Star Investors IV Limited, LLLP related to the CR 2209 acquisition; and

WHEREAS, “Star Investors” showed good faith negotiations with the “County” by accommodating the request for two retention ponds where the locations will be determined at a future date; and

WHEREAS, “Star Investors” agreed to shift the alignment of a portion of CR 2209 away from the west property line with no additional compensation; and

WHEREAS, “Star Investors” continue to provide convenient access to the County’s Turnbull Creek properties and allows for the St. Johns County Fire Rescue Department to access and train on Star 4 lands; and

WHEREAS, “Star Investors” have agreed to a fifty percent cost share with the “County” of the unanticipated additional fees above the agreed upon \$36,000 dollars; and

WHEREAS, an analysis of the documentation supporting the additional fees has been completed and found to be appropriate in the amount of \$40,066 dollars resulting in a cost share for each party of \$20,033 dollars.

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 Administrator, or his designee, is authorized to reimburse Star Investors IV Limited, LLLP in the amount of \$20,033 dollars.

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.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 4 day of November, 2018.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Henry Dean
Henry Dean, Chair

ATTEST: Hunter S. Conrad, Clerk

By: Sam Halterman
Deputy Clerk

RENDITION DATE 11/8/18

