

RESOLUTION NO. 2021- 278

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A SUBORDINATION AGREEMENT ALLOWING THE SUBORDINATION OF A COUNTY DRAINAGE EASEMENT TO A FLORIDA DEPARTMENT OF TRANSPORTATION'S EASEMENT REQUIRED FOR THE K9'S FOR WARRIORS PROJECT LOCATED OFF US 1 NORTH.

RECITALS

WHEREAS, the State of Florida Department of Transportation ("FDOT") is in the process of acquiring an easement for drainage in connection with the construction of the K9's for Warriors Project located on U.S. 1 North; and

WHEREAS, a portion of the land within the FDOT easement area is within the Nocatee DRI and is encumbered by a St. Johns County ("County") drainage easement; and

WHEREAS, FDOT has made a request to the County to execute and deliver to the FDOT a Subordination Agreement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, to subordinate the County's interest to the FDOT's interest; and

WHEREAS, said request is for public transportation purposes which is in the public or community interest for public welfare and said request having been duly considered.

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 authorizes the Chair of the Board to execute the Subordination Agreement on behalf of the County.

Section 3. The Clerk is instructed to record a certified copy of this Resolution and the original Subordination 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 20 day of July, 2021.

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

By: *Jeremiah R. Blocker*
Jeremiah R. Blocker, Chair

ATTEST: Brandon J. Patty
Clerk of the Circuit Court & Comptroller

REVISION DATE 7/21/21

By: *Sam Halterman*
Deputy Clerk



36-SUB.03-Date: March 31, 2021

This instrument prepared by
or under the direction of:

David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 803.7
SECTION NO. 7802-(110)275
F.P. NO. n/a
STATE ROAD NO. 5
COUNTY OF St. Johns

SUBORDINATION AGREEMENT

THIS AGREEMENT made this _____ day of _____, 20_____,
by and between ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida,
500 San Sebastian View, St. Augustine, Florida 32086, hereinafter called the "party of the first
part", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion
Avenue, Lake City, Florida 32025-5874, hereinafter called the "Department".

WITNESSETH:

WHEREAS, the party of the first part is the owner and holder of that certain Notice of DRI
Development Order (Nocatee) instrument recorded October 1, 2001 in Official Records Book 1656,
Page 1887; First Amended recorded March 12, 2007 in Official Records Book 2881, Page 156;
Modification recorded July 20, 2009 in Official Records Book 3219, Page 725; Modification
recorded January 20, 2010 in Official Records Book 3279, Page 486; Modification recorded
October 26, 2010 in Official Records Book 3369, Page 258; Modification recorded November 7,
2012 in Official Records Book 3640, Page 998; Modification recorded February 6, 2017 in Official
Records Book 4327, Page 1180; and Roadway Drainage Easement Agreement recorded
December 29, 2010 in Official Records Book 3392, Page 592, all in the Public Records of St.
Johns County, Florida, and;

WHEREAS, a portion of the land encumbered by all of the above stated instruments are
required by the Department for public transportation purposes;

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other
good and valuable considerations, paid, the receipt and sufficiency of which is hereby
acknowledged, the party of the first part hereby agrees, covenants, and consents with the
Department that the aforesaid above stated instruments are and shall continue to be subject and
subordinate to the property rights of the Department insofar as said above stated instruments affect
the following described property, viz:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

This subordination agreement shall be binding upon and inure to the benefit of the respective heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____

St. Johns County, Florida
by its Board of County Commissioners

Print Name: _____
Clerk (or Deputy Clerk)

BY: _____

Print Name: _____
It's Chairperson (or Vice-Chairperson)

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____, 20_____, by _____, Chairperson (or Vice-Chairperson), who is personally known to me or who has produced _____ as identification.

(Notary Seal)

Print Name: _____
Notary Public
My Commission Expires: _____

Exhibit "A"

SECTION 7802-(110)275

STATE ROAD NO. 5

ST. JOHNS COUNTY

F.P. No. N/A

PARCEL No. 803

PERPETUAL EASEMENT

A Part Of Section 3, Township 5 South, Range 28 East, St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At The Intersection Of The North Line Of Said Section 3 And The Survey Baseline Of State Road No. 5 (U.S. Highway No. 1) (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section 78020-(110)275 As Presently Established); Thence South $42^{\circ}05'47''$ East Along Said Baseline, A Distance Of 1,558.56 Feet; Thence North $47^{\circ}54'13''$ East, A Distance Of 93.00 Feet To The Easterly Existing Right Of Way Line Of Said State Road No. 5 And To The **Point Of Beginning**; Thence North $46^{\circ}59'43''$ East, A Distance Of 696.91 Feet; Thence South $44^{\circ}16'22''$ East, A Distance Of 30.01 Feet; Thence South $46^{\circ}59'43''$ West, A Distance Of 698.05 Feet To The Easterly Existing Right Of Way Line Of Said State Road No. 5; Thence Run North $42^{\circ}05'47''$ West, Along The Easterly Right Of Way Line Of Said State Road No. 5, A Distance Of 30.00 Feet To The **Point Of Beginning**.

Containing 20,924 Square Feet, More Or Less.

A PORTION OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST
ST. JOHNS COUNTY, FLORIDA.

POINT OF REFERENCE
R SURVEY U.S. HWY No.1
STA. 1031+18.87

1030

S 42° 05' 47" E 1,558.56'

1025

R OF SURVEY
U.S. HIGHWAY No. 1
(STATE ROAD No. 5)
(A VARIABLE WIDTH R/W)
(PER FDOT R/W MAP SECTION 7802-(110)275)

1020

N 47° 54' 13" E 93.00'

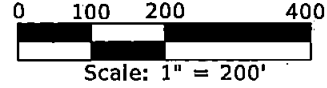
1015

N 42° 05' 47" W 30.00'

W/R/W EXISTING R/W LINE

SECTION 34 DUVAL COUNTY
SECTION 5 ST. JOHNS COUNTY

TOWNSHIP 4 SOUTH
TOWNSHIP 5 SOUTH



HWY	HIGHWAY
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
R/W	RIGHT OF WAY
STA	STATION

IEA WATER REUSE EASEMENT
O.R.B. 3084, PG. 900

POINT OF BEGINNING
ACCESS EASEMENT
0.480 ACRES ±
STA. 1015+60.31
93.00' RT

O.R.B. 1462,
PG. 667

K-9 FOR
WARRIORS PARCEL
O.R.B. 4810,
PG. 1413

O.R.B. 4483,
PG. 785

N 46° 59' 43" E 696.91'

S 44° 16' 22" E 30.01'

DRAINAGE EASEMENT 3A
O.R.B. 3392,
PG. 592

S 46° 59' 43" W 698.05'

GENERAL NOTES:

1. THIS IS NOT A SURVEY.
2. BEARINGS BASED ON THE BASELINE OF SURVEY OF U.S. HIGHWAY No.1 AS BEING S 42°05'47" E, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 7802-(110)275.
3. PROPERTY, RIGHT OF WAY LINES, AND EASEMENT LINES ARE FOR GRAPHIC REPRESENTATION ONLY, UNLESS OTHERWISE NOTED.

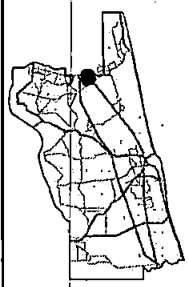
ETM
Surveying & Mapping, Inc.
VISION • EXPERIENCE • RESULTS

14775 Old St. Augustine Road, Jacksonville, FL. 32258
Tel: (904) 642-8550 Fax: (904) 642-4165
Certificate of Authorization No.: LB 3624

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

SCALE: 1"=200'
DATE: 11-02-2020

SCOTT A. GRAHAM
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 5546



2019 Aerial Imagery
June 16, 2021

*US 1 North - DOT
Subordination Agreement - Drainage Easement
K9s For Warriors*

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.

