

RESOLUTION NO. 2021- 526

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FIVE TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY AND SIDEWALK IMPROVEMENTS ALONG HOLMES BOULEVARD AND KING STREET EXTENSION.**

**RECITALS**

**WHEREAS**, certain property owners have executed and presented to the County five Temporary Construction Easements for roadway and sidewalk improvements along Holmes Boulevard and King Street Extension, attached hereto as Exhibits "A", "B", "C", "D" and "E", incorporated by reference and made a part hereof; and

**WHEREAS**, the Temporary Construction Easements are necessary for the County to construct roadway and sidewalk improvements along Holmes Boulevard and King Street Extension; and

**WHEREAS**, the sidewalk improvements will create a continuous pedestrian connection from West King Street northerly along Holmes Boulevard to Four Mile Road; and

**WHEREAS**, it is in the best interest of the County to accept the Temporary Construction 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 by reference into the body of this Resolution and such recitals are adopted as findings of fact.

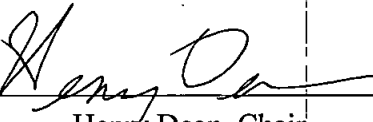
Section 2. The above described five Temporary Construction Easements, attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

Section 3. To the extent that there are typographical, scrivener 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 Temporary Construction Easement from The School Board of St. Johns County, and file the other four previously recorded easements in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 21 day of December, 2021.

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

By:   
Henry Dean, Chair

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

  
Deputy Clerk

RENDITION DATE 12.22.2021

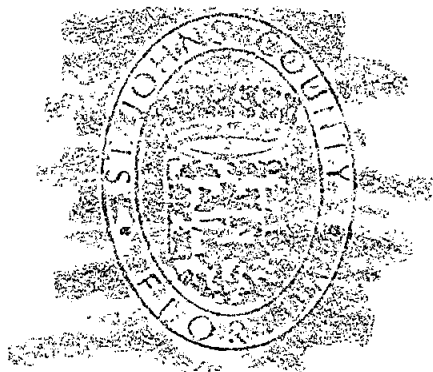


Exhibit "A" to Resolution

Prepared by:  
Sidney F. Ansbacher  
Upchurch, Bailey and Upchurch, P.A.  
Post Office Drawer 3007  
St. Augustine, Florida 32085-3307

**TEMPORARY CONSTRUCTION EASEMENT**

**THIS TEMPORARY CONSTRUCTION EASEMENT** made this 12 day of OCTOBER, 2021, by THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA, whose address is 40 Orange Street, St. Augustine, Florida 32084 (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 (Grantee).

**WITNESSETH** that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the Grantor hereby gives, grants, bargains and releases to the Grantee or its designee, a Temporary Construction Easement to enter upon and use the Grantor's Property as described below for the purpose of constructing roadway improvements, sidewalks, and all appurtenances incidental thereto, as well as related infrastructure construction. All improvements to take place along the Holmes Boulevard, and along and within the boundary of the Grantor's below-described Property. This Easement is over land in St. Johns County, Florida, described as follows:

**See attached Exhibit A, incorporated by reference herein (the Property).**

Grantor retains the reasonable right to use all or part of this Temporary Construction Easement as Grantor deems appropriate, and subject to the reasonable concurrence of Grantee to accommodate school purposes during the term of this Temporary Construction Easement.

Grantee shall ensure that all persons on the Property pursuant to the rights given under this Temporary Construction Easement at any time when students are present on the Property comply with noninstructional contractor requirements set forth by ss. 1012.465, .467 and .468, Fla. Stat.

As to the Temporary Construction Easement, Grantee shall be liable to Grantor for any consequential or direct damages, and Grantee indemnifies and holds Grantor harmless, all to the extent authorized by s. 768.28, Fla. Stat., for damages or declaratory, injunctive, criminal or administrative liability, related to the Temporary Construction Easement, except for and to the extent caused by negligence, recklessness or intentional misconduct

of Grantor. Grantee's responsibility for the Temporary Construction Easement includes, but is not limited to, compliance with all federal, state and local laws, rules, ordinances and policies concerning environmental and natural resources, except as limited by this paragraph.

Grantee may assign its rights in whole or in part, under this Temporary Construction Easement, but only with prior written approval of Grantor, such approval not to be unreasonably withheld. Any assignee of any of Grantee's rights must, at a minimum: (1) provide liability insurance certificate in favor of Grantor of \$1,000,000 per incident and \$3,000,000 overall; and (2) indemnify Grantor on the same terms as Grantee does in this Temporary Construction Easement, but without any limitation under s. 768.28, Fla. Stat.

It is understood and agreed by the parties hereto that the rights granted herein shall terminate after a period of one hundred eighty (180) days from the date of execution of this Temporary Construction Easement, unless earlier terminated in the reasonable, joint determination of the parties that the purposes of this Temporary Construction Easement have been met.

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

Signed, sealed and delivered in our presence as witnesses:

THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA

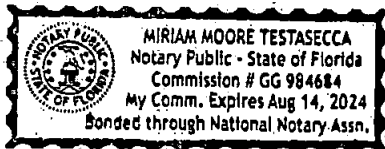
*Gina Fallica*  
Print Name: Gina Fallica

By: *Tim Forson*  
Tim Forson  
Its Superintendent

*Sarah Wilcox*  
Print Name: Sarah Wilcox

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 13<sup>th</sup> day of October, 2021, by Tim Forson, as Superintendent of the School Board of St. Johns County, on behalf of the school district, who is personally known to me or has produced



*Miriam Moore Testasecca*  
Notary Public  
My Commission Expires: 8/14/2024

Exhibit "A"

The Southerly 20 feet of the Westerly 225 feet Lot 10 Los Campos Peuenos, a subdivision of the South half of Fractional Section 14, Township 7 South, Range 29 East, St. Johns County, Florida, according to plat recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.

AND

The Westerly 15 feet of Lots 7, 8, 9 & 10 Los Campos Peuenos, a subdivision of the South half of Fractional Section 14, Township 7 South, Range 29 East, St. Johns County, Florida, according to plat recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.

AND

The Westerly 30 feet of the Northerly 280 feet of the Southerly 585 feet of Lots 7, 8, 9 & 10 Los Campos Peuenos, a subdivision of the South half of Fractional Section 14, Township 7 South, Range 29 East, St. Johns County, Florida, according to plat recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.

AND

The Westerly 30 feet of the Southerly 130 feet of the Northerly 640 feet of Lots 7, 8, 9 & 10 Los Campos Peuenos, a subdivision of the South half of Fractional Section 14, Township 7 South, Range 29 East, St. Johns County, Florida, according to plat recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.

Exhibit "B" to Resolution

Prepared by:  
Jessica Getchius  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 22<sup>nd</sup> day of October, 2021, by and between Charles F. Perry, whose address is 12249 S E One Rosa Dr., Happy Valley, OR 97086, 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, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property located in St. Johns County, Florida, described as follows:

A strip of land 15 feet wide being the Westerly 15 feet of the following described property: Lot 6, Block B, Los Campos Pequenos, according to plat thereof as recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.

It is understood and agreed by the parties hereto that the rights granted herein will terminate 18 months from the date of execution of this easement.

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

Signed Sealed in Our Presence as Witnesses:

Grantor:

(sign) Kristin Kropfeld

Charles F. Perry

(print) Kristin Kropfeld

Charles F. Perry

(sign) Sho

(print) Savannah Gainous

STATE OF Florida  
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22<sup>nd</sup> day of October, 2021, by Charles F. Perry.

Kathryn L. Lewis  
Notary Public

My Commission Expires: 2/7/24

Personally Known or Produced Identification  
Type of Identification Produced

FL-DL



KATHRYN L. LEWIS  
Commission # GG 955995  
Expires February 7, 2024  
Bonded Thru Budget Notary Services

Exhibit "C" to Resolution

Prepared by:  
Jessica Getchius  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 30 day of July, 2021, by and between Amber Dawn Lind, also known as, Amber D. Davenport, whose address is 42 N Holmes Blvd, St Augustine, 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, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property located in St. Johns County, Florida, described as follows:

A strip of land 15 feet wide lying adjacent to and parallel with N. Holmes Blvd. Also described as the westerly 15 feet of that property described in OR 3266/1426

It is understood and agreed by the parties hereto that the rights granted herein will terminate 18 months from the date of execution of this easement. The property will be put back to its original condition when the project is complete.

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

Signed Sealed in Our Presence as Witnesses:

Grantor:

(sign) \_\_\_\_\_

Amber Dawn Lind  
Amber Dawn Lind

(print) TRENTON H HARDING

(sign) Kimberly M. Duncan

(print) Kimberly M. Duncan

STATE OF Florida  
COUNTY OF Bradford

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30<sup>th</sup> day of July, 2021, by Amber Dawn Lind.

Kimberly M. Duncan  
Notary Public  
My Commission Expires: Feb. 18, 2024

Personally Known or Produced Identification  
Type of Identification Produced

\_\_\_\_\_

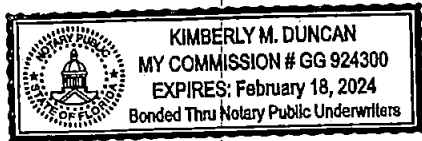


Exhibit "D" to Resolution

Prepared by:  
Jessica Getchius  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 24 day of JUNE, 2021, by and between **Brian S. Pease** whose address is 36 N. Holmes Blvd., St. Augustine, FL 32084, 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, grantee.

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property located in St. Johns County, Florida, described as follows:

A strip of land 15 feet wide lying adjacent to and parallel with N. Holmes Blvd. Also described as the westerly 15 feet of that property described in OR 2296/1762

It is understood and agreed by the parties hereto that the rights granted herein will terminate 18 months from the date of execution of this easement. The property will be put back to its original condition when the project is complete.

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

Signed Sealed in Our Presence as Witnesses:

Grantor:

(sign) Jamie Hughes

Brian Pease  
Brian S. Pease

(print) Jamie Hughes

(sign) Jessica Getchius

(print) Jessica Getchius

STATE OF Florida  
COUNTY OF St Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 24 day of June, 2021, by Brian S. Pease.

Jessica Nicole Getchius  
Notary Public  
My Commission Expires: \_\_\_\_\_

Personally Known or Produced Identification  
Type of Identification Produced



JESSICA NICOLE GETCHIUS  
Comm. # GG 285635  
Expires: March 17, 2023  
Bonded Thru Budget Notary Services



JESSICA NICOLE GETCHIUS  
Commission # GG 285635  
Expires March 17, 2023  
Bonded Thru Budget Notary Services



Exhibit "E" to Resolution

Prepared by:  
Jessica Getchius  
St. Johns County  
500 San Sebastian View  
St. Augustine, Florida 32084

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 31<sup>st</sup> day of August, 2021, by and between **Mary Smith** whose address is 48 N. Holmes Blvd., St. Augustine, FL 32084, 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, grantee.

**WITNESSETH**, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the grantor hereby gives, grants, bargains and releases to the grantee, a Temporary Construction Easement to enter upon and use the grantor's property located in St. Johns County, Florida, described as follows:

A strip of land 15 feet wide lying adjacent to and parallel with N. Holmes Blvd. Also described as the westerly 15 feet of that property described in OR 4966/1906

It is understood and agreed by the parties hereto that the rights granted herein will terminate 18 months from the date of execution of this easement. The property will be put back to its original condition when the project is complete.

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

Signed Sealed in Our  
Presence as Witnesses:

(sign) Dwain Willis

(print) Dwain Willis

(sign) Jessica Getchius

(print) Jessica Getchius

Grantor:

Mary Smith  
Mary Smith

STATE OF Florida  
COUNTY OF St. Johns

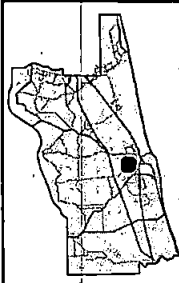
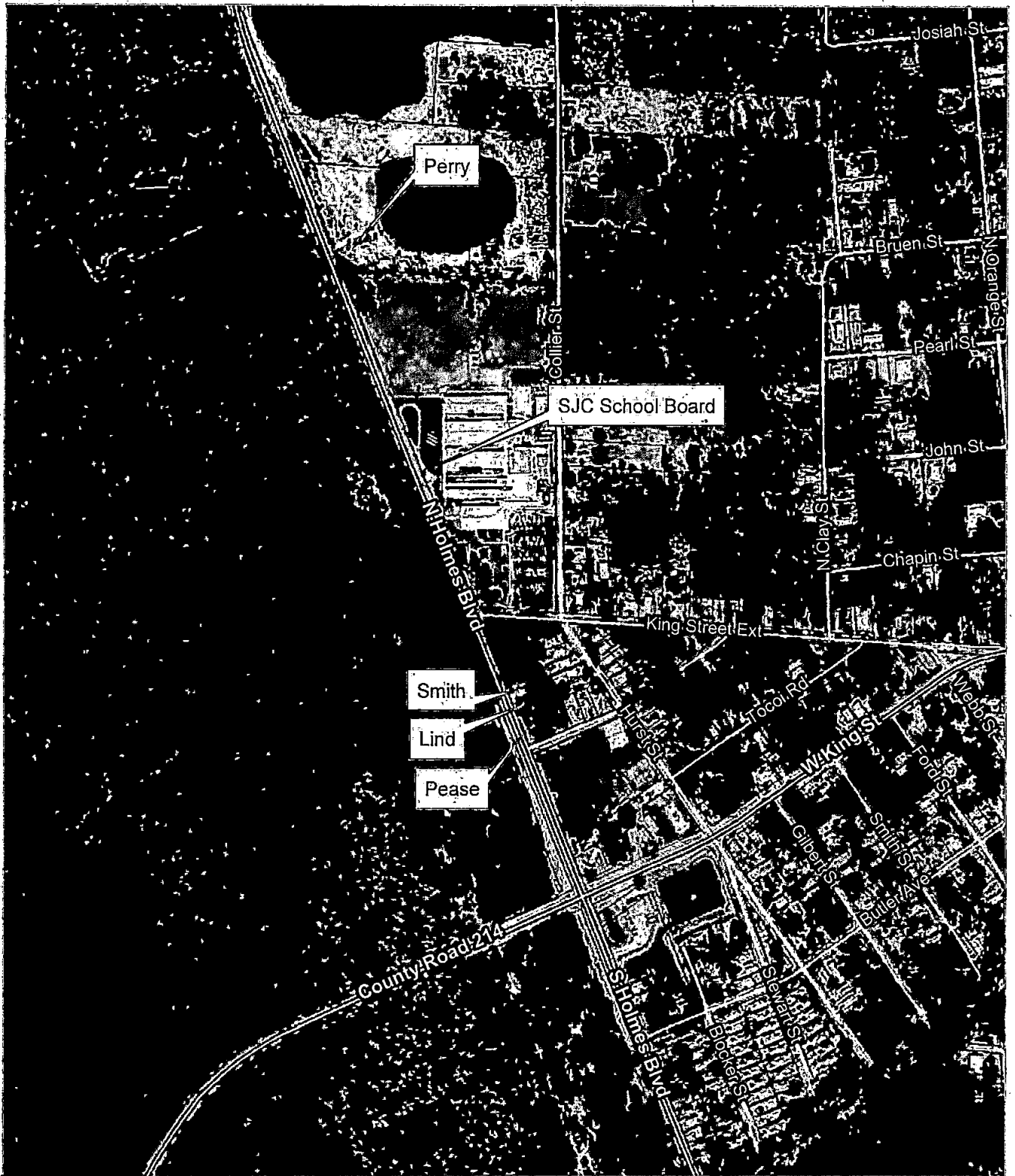
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 31<sup>st</sup> day of August, 2021, by Mary Smith.

Jessica Nicole Getchius  
Notary Public  
My Commission Expires: \_\_\_\_\_

Personally Known or Produced Identification  
Type of Identification Produced FL DL



**JESSICA NICOLE GETCHIUS**  
Commission # GG 283535  
Expires March 17, 2023  
Bonded Through Notary Services



Aerial Photography 2019  
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 Feet  
 Date: 11/15/2021

Holmes Blvd- King St. Ext  
 Roadway & Sidewalk Impr.  
 5 Temporary Construction  
 Easements

Land Management  
 Systems  
 Real Estate  
 Division  
 (904) 209-0782

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.

