

RESOLUTION NO. 2022-279

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY-OWNED PROPERTY AS SURPLUS, AND AUTHORIZING THE SALE OF THE PROPERTY TO AN ADJOINING PROPERTY OWNER PURSUANT TO PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES, AND AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED UPON SALE OF THE PROPERTY.

RECITALS

WHEREAS, in 2008 owners of a Sewage Treatment Plant Site located off Fruit Cove Drive East per Plat of Fruit Cove Oaks, Map Book 12, Page 37, filed Notice of Abandonment of the residential water and wastewater utility system. St. Johns County (“County”) assumed possession of certain property and facilities associated with the water and wastewater plant pursuant to a Court Order entered in Case No. CA08-0768; and

WHEREAS, in 2021 the St. Johns County Utility Department (“SJCUD”) remediated the sewage pond area and decommissioned the wastewater plant, and a new lift station was built at this location. The renovations and upgrades reduced the utility footprint at this location and approximately 0.7 acres is not needed for County purposes and does not have legal access; and

WHEREAS, SJCUD supports the surplus and sale of this extra property, as-is and in its current condition, subject to the terms, conditions and restrictions provided in a memo attached hereto as Exhibit “A”, incorporated by reference and made a part hereof. The proceeds of the sale will be deposited into the Utility Enterprise Fund; and

WHEREAS, pursuant to Florida Statute 125.35(2), the Board of County Commissioners may effect a private sale when the value of the parcel is \$15,000 or less, or when due to the size, shape, location and value it is determined by the Board of County Commissioners that the parcel is of use only to one or more adjacent property owners.

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. This County-owned parcel located off Fruit Cove Drive East, approximately 0.7 acres, is hereby declared surplus property.

- Section 3. It is found that all requirements of Florida Statutes, Section 125.35(2), for a private sale of the property described above have been met and the sale of the property to an adjoining property, as-is and in its current condition, is hereby approved by the Board of County Commissioners, subject to the terms, conditions, and restrictions provided in the SJCUD memo attached hereto.
- Section 4. The minimum purchase price shall be no less than the St. Johns County Property Appraiser's 2022 Just Market Value of the subject property. In addition to the purchase price, purchaser will pay all closing costs.
- Section 5. The Board of County Commissioners hereby authorize the Chair to execute a County Deed upon sale of the property, and approves the release of mineral reservations from the County Deed.
- Section 6. Upon sale of the property, the Clerk of the Court is instructed to record the original County Deed in the Public Records of St. Johns County, Florida.
- Section 7. 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 2 day of August, 2022.

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

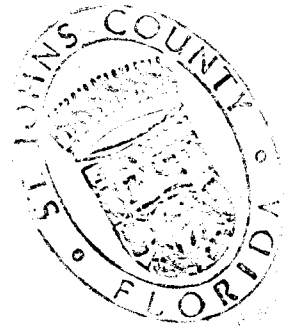
BY: _____

Henry Dean
Henry Dean, Chair

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

Sam Halterman

Deputy Clerk



Rendition Date 8/4/22



EXHIBIT "A" TO RESOLUTION

St. Johns County Board of County Commissioners

Utility Department

INTEROFFICE MEMORANDUM

TO: Sheri Lewis, Real Estate Coordinator
FROM: Sam Schllesinger, P.E., Utilities Engineer – Development Group
SUBJECT: 797 Fruit Cove Drive East Surplus Property
DATE: July 11, 2022

At your convenience, please surplus the landlocked property located off Fruit Cove Drive Easement, PIN 005424-2001. Sale of this property (approximately 0.7 acres) would relieve St. Johns County of aboveground maintenance responsibilities while reserving the right to operate and maintain the utilities located within the tract.

Specific conditions to protect the sewer main and allow future maintenance and repair include the following:

1. Upon sale of the property, the County Deed shall reserve a twenty (20) foot access easement along the northwesterly boundary of the property and a twenty-five (25) foot utility easement along the northeasterly boundary of the property to allow the sewer main to stay in place and in service, and to allow SJCUD access and maintenance rights.
2. Except for fencing, no permanent aboveground structures should be placed within the easement area. Provisions for SJCUD access should be coordinated, and in the event that a repair or maintenance of the sewer main damages or impacts fencing within the parcel, SJCUD will not be responsible for restoration/replacement. SJCUD will backfill and re-sod any repair areas.
3. Buyer would be required to coordinate with SJCUD to locate and protect the sewer main during installation of fencing or other improvements to the parcel. Fencing may cross the sewer main, but must not run along and on top of, the sewer main causing a direct conflict.
4. Buyer must not perform any improvements or place anything that limits access or directly conflicts with the sewer main located within the parcel.

Thank you for your assistance.

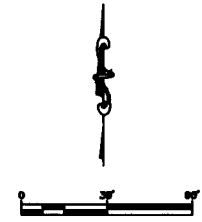
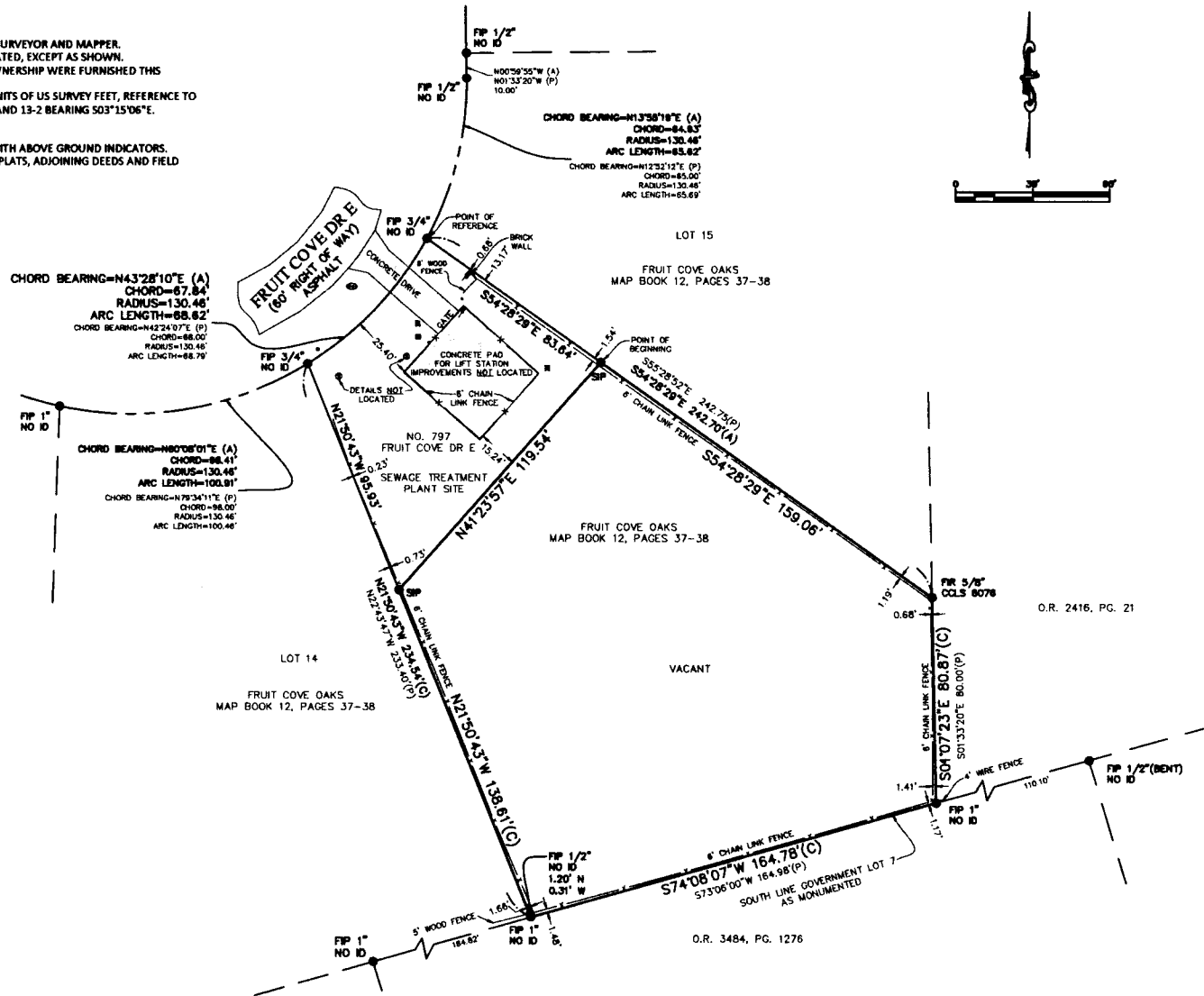
**MAP SHOWING A BOUNDARY SURVEY OF A PORTION OF THE SEWAGE TREATMENT PLANT SITE AS SHOWN ON PLAT OF FRUIT COVE OAKS, AS RECORDED IN MAP BOOK 12, PAGES 37-38 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.
FOR: ST. JOHNS COUNTY UTILITY DEPARTMENT**

SURVEYORS NOTES:

1. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN.
4. BEARING DATUM BASED ON STATE PLANE COORDINATES, FLORIDA EAST ZONE, IN UNITS OF US SURVEY FEET, REFERENCE TO THE NAD 83/2011. ST. JOHNS COUNTY GEODETIC NETWORK CONTROL POINTS 13-1 AND 13-2 BEARING 503°15'06"E.
5. THIS IS A BOUNDARY SURVEY.
6. ELEVATIONS BASED ON NAVD 88. US SURVEY FEET, IF ANY.
7. THE INTENDED FEATURES LOCATED AND SHOWN ON THIS SURVEY ARE ALL THOSE WITH ABOVE GROUND INDICATORS.
8. THE PROPERTY LINES AND RIGHT OF WAYS SHOWN ON THIS SURVEY ARE BASED ON PLATS, ADJOINING DEEDS AND FIELD MONUMENTATION.
9. AERIAL PHOTOGRAPHY, IF SHOWN, WAS OBTAINED IN FEBRUARY 2021.
10. DESCRIPTION FURNISHED SEPARATELY.

LEGEND

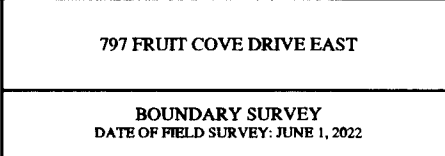
- ⊕ TELEPHONE HAND HOLE
- ⊠ WATER VALVE
- ⊡ WATER METER
- ⊙ METAL POST
- VERTICAL PIPE
- ⊕ SANITARY MANHOLE (MH)
- ⊙ FIP FOUND IRON PIPE
- ⊙ FIR FOUND IRON ROD
- ⊙ SIP SET 1/2" IRON PIPE WITH YELLOW CAP "SJC LS 4564"
- NO ID NO IDENTIFICATION
- (A) ACTUAL
- (P) PLAT
- (C) CALCULATED
- O.R. OFFICIAL RECORDS
- PG. PAGE
- RIGHT OF WAY LINE



AMENDMENTS

797 FRUIT COVE DRIVE EAST

BOUNDARY SURVEY
DATE OF FIELD SURVEY: JUNE 1, 2022

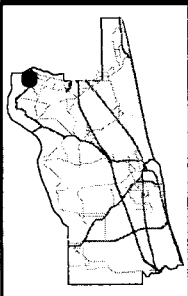
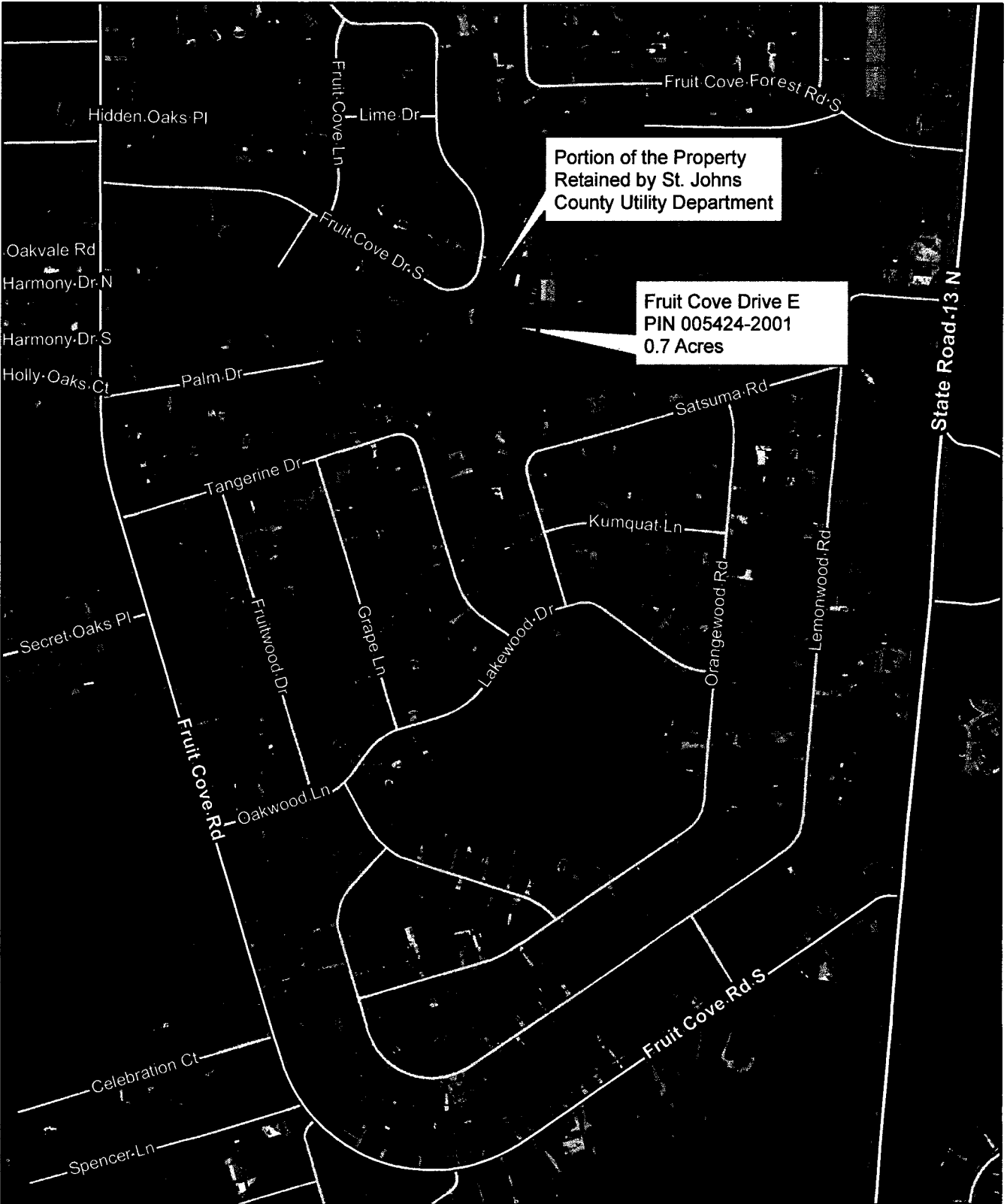



**ST. JOHNS COUNTY LAND MANAGEMENT SYSTEMS
SURVEYING AND MAPPING DIVISION**
500 SAN SEBASTIAN VIEW
ST AUGUSTINE, FLORIDA 32084

PATRICIA GAIL OLIVER P.E.M. NO. 4684
Phone (904) 209-0770 Email: gailoliver@sjcdfl.us

DRAWN BY: J.MANNING
FILE NUMBER: S-1235
SHEET NO. 1
OF 1

S:\Survey\2022\2022-06-01-797 Fruit Cove Dr East\797 Fruit Cove Drive East.dwg Plot Date: 6/21/2022 7:34 AM By: Jim Manning




 2016 Aerial Imagery
 0 100 200
 Feet
 July 11, 2022

Surplus Property
Fruit Cove Drive East

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.

