

RESOLUTION NO. 2022-389

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

**RECITALS**

**WHEREAS**, The School Board of St. Johns County, Florida, has executed and presented to the County a Temporary Construction Easement for roadway and sidewalk improvements along North Holmes Boulevard and King Street Extension, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

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

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

**WHEREAS**, it is in the best interest of the County to accept the Temporary Construction Easement 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.

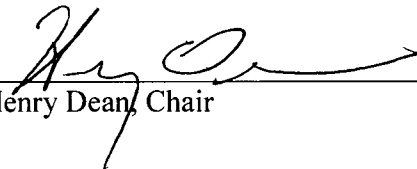
Section 2. The above described Temporary Construction Easement, attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

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, Florida in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 18 day of October, 2022.

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

By:   
Henry Dean, Chair

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

Rendition Date 10/19/22

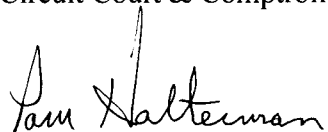
  
Deputy Clerk



Exhibit "A" to Resolution

Prepared by:

St. Johns County

500 San Sebastian View

St. Augustine, FL 32084

**TEMPORARY CONSTRUCTION EASEMENT**

**THIS TEMPORARY CONSTRUCTION EASEMENT** made this 13 day of September 2022, 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.

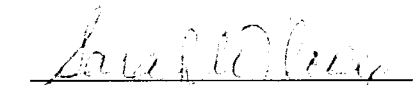
Grantee may assign its rights in whole or in part, under this Temporary Construction Easement, but only with prior written approval of Grantor, such approval not to be unreasonably withheld. Any assignee of any of Grantee's rights must, at a minimum: (1) provide liability insurance certificate in favor 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 three hundred sixty-five (365) 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:

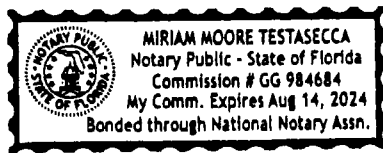
THE SCHOOL BOARD OF  
ST. JOHNS COUNTY, FLORIDA

  
Print Name: Gina Fallia

  
By: Tim Forson  
Its Superintendent

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 15th day of September, 2022, 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 who has produced \_\_\_\_\_ as identification.



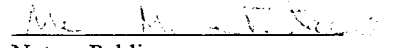
  
Notary Public  
My Commission Expires: 8/14/2024

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

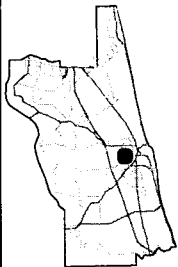
The Westerly 15 feet of Lots 7, 8, 9 & 10 Los Campos Peuenos, a subdivision of the South half of Fractional Section 14, Township 7 South, Range 29 East, St. Johns County, Florida, according to plat recorded in Map Book 5, page 70, of the public records of St. Johns County, Florida.


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.



  
 Aerial Photography 2019  
 0 34,000 68,000 136,000  
 Feet  
 Date: 9/21/2022

Holmes Blvd- King St. Ext  
 Roadway & Sidewalk Impr.

Temporary Construction  
 Easement

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.

