

RESOLUTION NO. 2023- 271

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH THE WATER SYSTEM TO SERVE BAPTIST PRIMARY CARE AT PARKWAY VILLAGE LOCATED OFF INTERNATIONAL GOLF PARKWAY.

RECITALS

WHEREAS, Pavilion Health Services, Inc., a Florida corporation has executed and presented to the County an Easement for Utilities associated with the water system to serve Baptist Primary Care at Parkway Village located off International Golf Parkway, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Utility Department has reviewed and approved the document mentioned above, as stated in a memo attached hereto as Exhibit “B” incorporated by reference and made a part hereof.

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 Easement for Utilities 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 Easement for Utilities in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 1st day of August, 2023.

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

Rendition Date AUG 03 2023

By: 
Christian Whitehurst, Chair

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

Crystal Smith
Deputy Clerk



Exhibit "A" to Resolution

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 23rd day of August, 2022, by **Pavilion Health Services, Inc.**, a Florida corporation, with an address of 1660 Prudential Drive, Suite 203, Jacksonville, Florida 32207, hereinafter called "Grantor," to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine FL 32084, hereinafter called "Grantee".

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor agrees as follows:

1. Grantor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee a non-exclusive permanent easement and right-of-way to install, construct, operate, maintain, repair, replace and remove pipes and mains constituting the underground water meters over and upon the real property described on Exhibit A attached hereto (the "Easement Area"); together with rights of ingress and egress to access the Easement Area as necessary for the use and enjoyment of the easement herein granted. This easement is for water and/or sewer utility services only and does not convey any right to install other utilities such as cable television service lines.

TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

The easement herein granted is subject to covenants, restrictions, easements, liens and encumbrances of record.

(a) Grantor reserves the right and privilege to use and occupy and to grant to others the right to use and occupy (i) the surface and air space over the Easement Area for any purpose which is consistent with the rights herein granted to Grantee; and (ii) subsurface of the Easement Area for other utility services or other purposes which do not interfere with the rights herein granted to Grantee, including, without limitation, the right to install, construct, operate, maintain, repair, replace and remove telecommunications, telephone, telegraph, electric, gas and drainage facilities and foundations, footing and/or anchors for surface improvements.

(b) All Utility Lines and Associated Equipment will be installed, operated and maintained at all times beneath the surface of the Easement Area provided that the same may be temporarily exposed or removed to the surface when necessary or desirable for the purpose of repairing and/or replacing the same. Provided, however, that Associated Equipment that is customarily installed above ground may be installed above

ground subject to the right of Grantor, consistent with good engineering practices to approve the location of such above ground installation in its reasonable discretion.

(c) The easement granted by this instrument may be relocated to a location acceptable to the Grantee at any time upon Grantor's request provided that Grantor bears the cost of relocating the underground water and sewer utility lines and facilities located within the Easement area. At Grantor's request, and upon relocation of such lines at Grantor's expense, Grantee and Grantor shall execute an instrument in recordable form relocating the easement hereby granted to the new Easement Area designated by and in the title of the Grantor.

(d) Grantee shall exercise the easement rights conveyed herein in a manner which will not unreasonably interfere with use and occupancy of residential or commercial improvements constructed upon the adjacent property owned by Grantor.

2. WATER SYSTEM - The Grantee shall maintain water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines located within the boundary of the Grantor's property excluding the water meters.

3. After any installation, construction, repair, replacement or removal of any utility lines or equipment as to which easement rights are granted, Grantee shall refill any holes or trenches in a proper and workmanlike manner to the condition existing prior to such installation, construction, repair, replacement or removal, but Grantee shall not be responsible for restoration of sod, landscaping, planting, pavement or other surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of utility lines or equipment. To the extent permitted by law, however, Grantee shall be responsible for damage to improvements that are caused by Grantee's negligence.

4. This Grant of Easement shall inure to the benefit of and be binding of and be binding upon Grantee and its successors and assigns.

5. For the purposes of the terms and conditions of this Grant of Easement, "Grantor" means the owner from time to time of the Easement Area or any part thereof.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer and its corporate seals to be hereunto affixed as of the day and year first above written.

Signed, sealed and delivered
In the presence of:

[Signature]
Witness Signature

KARL HANSON
Print Name

[Signature]
Witness Signature

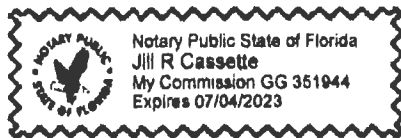
Jill R. White
Print Name

Pavilion Health Services, Inc.

By: [Signature]
Keith Tickell
As its President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24 day of August, 2022, by Keith Tickell as president of Pavilion Health Services, Inc., who is personally known to me or has produced — as identification.



Jill R Cassette - Jill R Cassette
Notary Public
My Commission Expires: 7-04-2023

Exhibit "A"

SKETCH AND LEGAL DESCRIPTION

OF 5'x5' Water Meter Easement
 LOCATED AT Baptist Primary Care International
 Golf Parkway

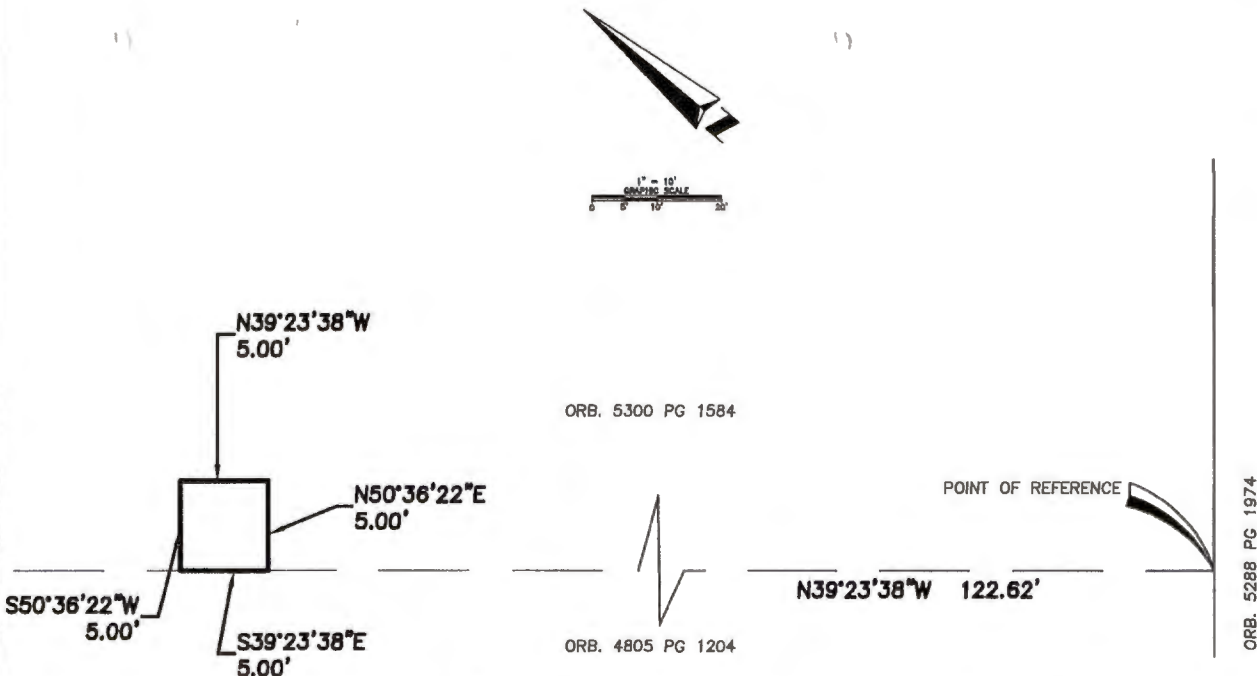
DESCRIPTION:

A PORTION OF SUBSECTION 7 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4893, PAGE 1076 OF THE PUBLIC RECORDS OF SAID COUNTY.

For Reference Commence at the Southwest corner of lands Described in ORB. 5300 Page 1584 Of St. Johns county Public Records; Thence run along the Westerly boundary line of said lands N39°23'38"W a distance of 122.62 feet. To the point of Beginning, Thence N50°36'22"E a distance of 5.00 feet; Thence N39°23'38"W; a distance of 5.00 feet; Thence S50°36'22"W; a distance of 5.00 feet; Thence S39°23'38"E; a distance of 5.00 feet to the Point Of Beginning.
 Containing 25± Square Feet, More or less.

SURVEYOR'S REPORT:

1. Bearings shown hereon are based on (Deed) Westerly Property line Being N39°23'38"W
2. I hereby certify that the "Sketch and Legal Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements of Florida Administration Code.



SKETCH AND DESCRIPTION

CERT 1
 CERT 2
 CERT 3
 CERT 4

Date: 07-25-2022 PKM
 Job Number: Job Number
 Scale: 1" = 10'
 Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that
THIS IS NOT A SURVEY.
 SHEET 1 OF 1
 SEE SHEET 1 FOR SKETCH

Certification Number LB2108 067645002



SSMCTM
 SUE • SURVEY • GIS
 SOUTHEASTERN SURVEYING
 AND MAPPING CORPORATION
 8641 Baypine Road, Suite 5
 Jacksonville, Florida 32256
 (904) 737-5990
 e-mail: info@southeasternsurveying.com

ROBERT W. GARDNER
 REGISTERED LAND SURVEYOR
 No. 5603

SKETCH AND LEGAL DESCRIPTION

OF 5'x5' Reuse Water Main Meter Easement
LOCATED AT Baptist Primary Care International
Golf Parkway

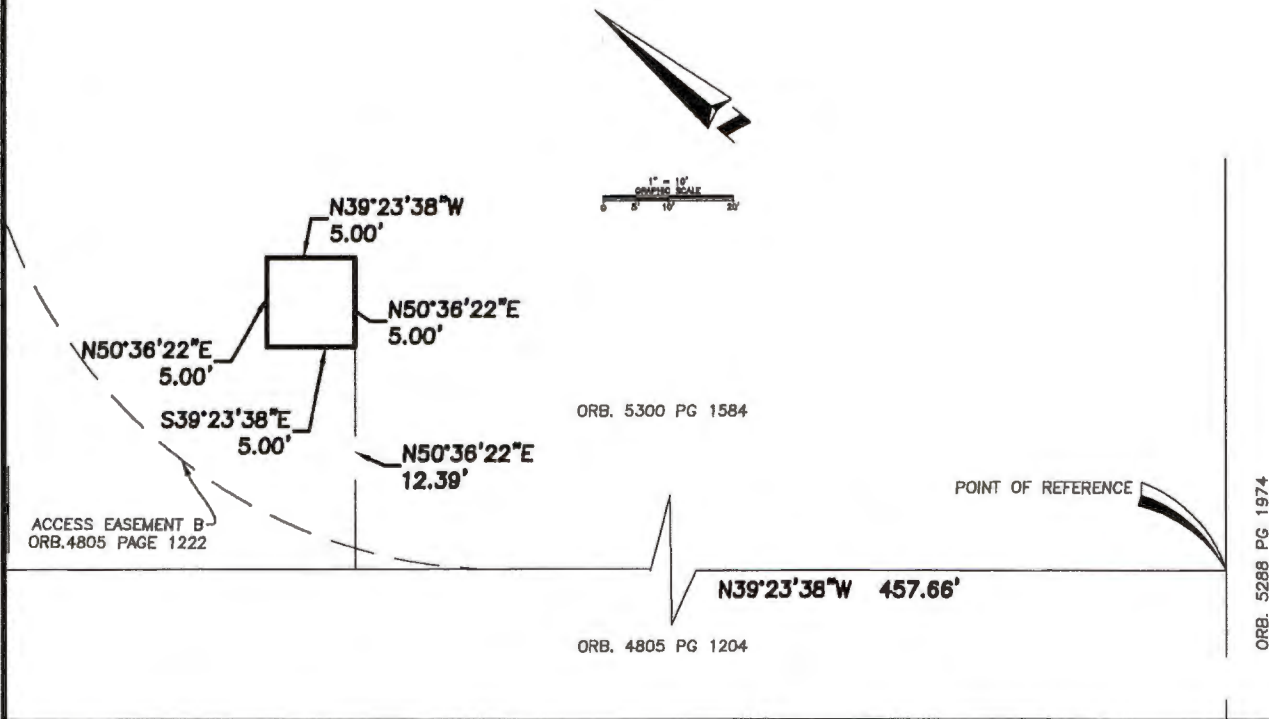
DESCRIPTION:

A PORTION OF SUBSECTION 7 OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4893, PAGE 1076 OF THE PUBLIC RECORDS OF SAID COUNTY.

For Reference Commence at the Southwest corner of lands Described in ORB. 5300 Page 1584 Of St. Johns county Public Records; Thence run along the Westerly boundary line of said lands N39°23'38"W a distance of 457.66 feet. Thence Departing said Westerly Boundary line N50°36'22"E; a distance of 12.39 feet; To the Point of Beginning, Thence N50°36'22"E ;a distance of 5.00 feet; Thence N39°23'38"W; a distance of 5.00 feet; Thence S50°36'22"W; a distance of 5.00 feet; Thence S39°23'38"E; a distance of 5.00 feet to the Point Of Beginning. Containing 25± Square Feet, More or less.

SURVEYOR'S REPORT:

- Bearings shown hereon are based on (Deed) Westerly Property line Being N39°23'38"W
- I hereby certify that the "Sketch and Legal Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements of Florida Administration Code.



SKETCH AND DESCRIPTION	Date: 07-25-2022 PKM	Certification Number LB2108 067645001
CERT 1 CERT 2 CERT 3 CERT 4	Job Number: _____ Scale: 1" = 10' Job Number _____	SSMC TM SUE • SURVEY • GIS SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 8841 Baypine Road, Suite 5 Jacksonville, Florida 32256 (904) 737-5990 e-mail: info@southeasternsurveying.com
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.	
	SHEET 1 OF 1 SEE SHEET 1 FOR SKETCH	
		ROBERT W. GARDNER REGISTERED LAND SURVEYOR No. 5603




 2021 Aerial Imagery
 Date: 6/9/2023

Baptist Primary Care
 at Parkway Village

 Easement for Utilities

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 herein.





Exhibit "B" to Resolution

St. Johns County Board of County Commissioners

Utility Department

INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Baptist Primary Care @ Parkway Village (ASBULT 2023000069)
DATE: May 23, 2023

Please present the Easement to the Board of County Commissioners (BCC) for final approval and acceptance of Baptist Primary Care @ Parkway Village..

After acceptance by BCC, please provide the Utility Department with a copy of the executed resolution for our files.

Your support and cooperation as always are greatly appreciated.