

RESOLUTION NO. 2023- 273

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO TEMPORARY CONSTRUCTION EASEMENTS AND A GRANT OF EASEMENT FROM PROPERTY OWNERS TO ST. JOHNS COUNTY FOR DRAINAGE IMPROVEMENTS ALONG LEWIS SPEEDWAY AND OLD LEWIS SPEEDWAY.

RECITALS

WHEREAS, certain property owners have executed and presented to St. Johns County (“County”) two Temporary Construction Easements and a Grant of Easement for the Lewis Speedway Drainage Project located at Old Lewis Speedway and Lewis Speedway, attached hereto as Exhibit “A, incorporated by reference and made a part hereof; and

WHEREAS, the easements are necessary for the County to construct and maintain drainage improvements; and

WHEREAS, it is in the best interest of the County to accept the Temporary Construction Easements and Grant of 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 Easements and Grant of Easement, attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

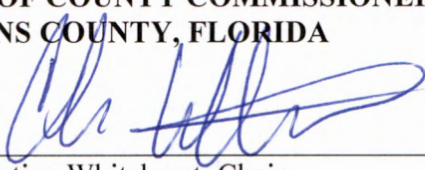
Section 3. To the extent that there are typographical, scrivener or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

Section 4. The Clerk of the Circuit Court is instructed to record the Temporary Construction Easement and Grant of Easement in the Official Records and to file the previously recorded Temporary Construction Easement in the Public Records of St. Johns County, Florida.

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

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

Rendition Date AUG 03 2023

By: 
Christian Whitehurst, Chair

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

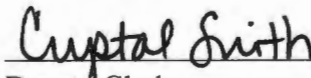

Deputy Clerk



Exhibit "A" to Resolution

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

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 21ST day of JUNE, 2023, by and between **Joseph L. Schonder**, whose address is 3777 Old Lewis Speedway, 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:

Property attached hereto as Exhibit "A", incorporated by reference and made a part hereof.

It is understood and agreed by the parties hereto that the rights granted herein will terminate upon project completion.

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) [Signature]
(print) Joyce Jowers
(sign) [Signature]
(print) Kelly McTaggart

[Signature]
Joseph L. Schonder
JOSEPH L. SCHONDER

STATE OF Florida
COUNTY OF St Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 21 day of JUNE, 2023, by Joseph L. Schonder.

Notary Public [Signature]
My Commission Expires: 8/24/25

Personally Known or Produced Identification
Type of Identification Produced FL DL



EXHIBIT "A"

A PORTION OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1840, PAGE 1862 OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, ALSO BEING A PART OF LOTS 5-9, NAVARA PARK SUBDIVISION AS SHOWN IN MAP BOOK 3, PAGE 143 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, AND LYING IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF OLD LEWIS SPEEDWAY AS NOW ESTABLISHED WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY AS NOW ESTABLISHED; SAID POINT BEING THE MOST EASTERLY CORNER OF OFFICIAL RECORDS BOOK 1840, PAGE 1862 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE AND SOUTHWESTERLY ALONG THE ARC OF A CURVE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1149.33 FEET, THROUGH A CENTRAL ANGLE OF $10^{\circ}59'10''$, AN ARC DISTANCE OF 220.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $54^{\circ}38'10''$ WEST, 220.04 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1149.33 FEET, THROUGH A CENTRAL ANGLE OF $3^{\circ}41'31''$, AN ARC DISTANCE OF 74.06 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $47^{\circ}17'49''$ WEST, 74.05 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF OFFICIAL RECORDS BOOK 5179, PAGE 101 OF THE CURRENT PUBLIC RECORDS OF AFOREMENTIONED COUNTY; THENCE NORTH $08^{\circ}18'29''$ WEST, ALONG SAID EASTERLY LINE AND DEPARTING SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 24.68 FEET; THENCE DEPARTING SAID EASTERLY LINE, NORTHEASTERLY ALONG THE ARC OF A CURVE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1169.33 FEET, THROUGH A CENTRAL ANGLE OF $0^{\circ}35'59''$, AN ARC DISTANCE OF 12.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH $46^{\circ}27'57''$ EAST, 12.24 FEET; THENCE NORTH $08^{\circ}18'29''$ WEST A DISTANCE OF 107.85 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED OLD LEWIS SPEEDWAY; THENCE NORTH $81^{\circ}09'11''$ EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 195.41 FEET; THENCE SOUTH $08^{\circ}42'44''$ EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 10.40 FEET TO A POINT THAT IS 10.00 FEET OFFSET AND PARALLEL TO AFOREMENTIONED NORTHWESTERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE THAT IS 10.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1159.33 FEET, THROUGH A CENTRAL ANGLE OF $2^{\circ}27'11''$, AN ARC DISTANCE OF 49.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $56^{\circ}19'59''$ WEST, 49.63 FEET; THENCE SOUTH $08^{\circ}42'44''$ EAST A DISTANCE OF 5.57 FEET TO A POINT THAT IS 5.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE SOUTHWESTERLY ALONG AN ARC OF A CURVE THAT IS 5.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1154.33 FEET,

THROUGH A CENTRAL ANGLE OF $5^{\circ}41'08''$, AN ARC DISTANCE OF 114.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $52^{\circ}08'30''$ WEST, 114.50 FEET; THENCE SOUTH $08^{\circ}42'44''$ EAST A DISTANCE OF 5.90 FEET TO A POINT OF INTERSECTION WITH SAID NORTHWESTERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY; SAID POINT BEING THE POINT OF BEGINNING.
CONTAINING 13,363 SQUARE FEET, MORE OR LESS.

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

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this 12 day of May, 2023, by and between **Buddie S. Cooper, joined by his spouse if any**, whose address is 4400 Sartillo Rd., 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:

SEE EXHIBIT "A", attached hereto and by reference incorporated herein

It is understood and agreed by the parties hereto that the rights granted herein will terminate upon project completion.

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) [Signature]

(print) Thomas Mashburn

(sign) [Signature]

(print) Jessica Getchius

Grantor:

[Signature]

Buddie S. Cooper

STATE OF Florida
COUNTY OF St Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of May, 2023, by Buddie S. Cooper

[Signature]
Notary Public
My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced FLDL

 JESSICA NICOLE GETCHIUS
Commission # HH 359569
Expires March 17, 2027

EXHIBIT "A"

THE SOUTH 15.00 OF THAT CERTAIN PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1489, PAGE 535, OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA. ALSO LYING IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF SAID COUNTY. CONTAINING 3,595 SQUARE FEET, MORE OR LESS.

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

GRANT OF EASEMENT

THIS EASEMENT this 21ST day of JUNE, 2023, by and between **Joseph L. Schonder**, whose address is 3777 Old Lewis Speedway, 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, releases and conveys to the grantee, its successors and assigns forever, an unobstructed right-of-way and perpetual easement with the right, privilege and authority to said grantee, its successors and assigns, to construct, lay, maintain, improve and/or repair or replace drainage improvements on, along, over, through, across or under the following described land situate in St. Johns County, Florida to wit:

Property attached hereto as Exhibit "A", incorporated by reference and made a part hereof.

TOGETHER with the right of said grantee, its successors and assigns, of ingress and egress to and over said above described premises, and for doing anything necessary or useful or convenient, or removing at any time any and all of said improvements upon, over, under or in said lands, together also with the right and easement, privileges and appurtenances in and to said land which may be required for the enjoyment of rights herein granted.

The Grant of Easement granted herein shall be subject to the following:

1. **Improvements.** The grantor herein shall have the right to place and maintain a fence and landscaping located at the top of bank along the east, west, and south side of easement. The grantor herein shall have the right to place utilities over, under, or across the easement property to include water, sewer, electric, fiber, cable, or any other utility necessary to facilitate a residence on grantors property, in as much as construction, installation, placement or use of said utilities will not interfere with or in any way obstruct the grantee's rights herein. The grantee will be responsible for damage to said utilities should said utilities be damaged during grantee's regular maintenance of easement property. Grantor, following placement, installation, or construction of any such improvements within the easement area will restore the easement area to the condition that existed prior to the placement, installation or construction of the improvements. All improvements by grantor within the easement area will be located, constructed and installed in accordance with all the good planning and design practices, the minimum standards set forth in the St. Johns County Land Development Code and any and all applicable regulations and laws.
2. **Maintenance.** The grantee herein shall maintain the easement area. If improvements placed by grantor within the easement area, as permitted in section 1 above, obstruct grantee's regular maintenance access to any portion of the easement area, then grantor waives the right to demand maintenance of those areas rendered inaccessible by said improvements. The grantee will not maintain any of the improvements placed within the easement area by grantor, nor be responsible for any damage to said improvements due to use by the grantor or deferred maintenance. If the landscaping or fence is damaged in the course of regular maintenance or use of the easement area by grantee, the grantee will repair or replace the damaged improvement(s) in a timely manner with a material(s) of the same type, size and quality.
3. **Severability.** If any part of this Easement or the application thereof to any person or circumstance shall to any extent be held void or invalid or unenforceable, then the remainder of this Easement or the application of such provision to persons or circumstances other than those as to which it is held void, invalid or unenforceable shall not be affected thereby, and each and every other provision of this Easement shall be valid and enforceable to the fullest extent permitted by law.

4. Governing Law and Venue. This Easement and provisions contained herein shall be construed and interpreted in accordance with the laws of the State of Florida. Venue for any administrative and/or legal action arising under this Agreement shall be in St. Johns County, Florida. Any trial shall be non-jury.

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

Signed, sealed and delivered in

GRANTOR: Our presence as Witnesses:

(sign) Joyce Jolley
 (print) Joyce Jolley
 (sign) Kelly McTaggart
 (print) Kelly McTaggart

Joseph L. Schonder
 Joseph L. Schonder
JOSEPH L. SCHONDER

STATE OF FLORIDA
 COUNTY OF St Johns

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 21 day of JUNE, 2023, by Joseph L Schonder.

Kelly McTaggart
 Notary Public
 My Commission Expires: 8.24.2025

Personally Known or Produced Identification
 Type of Identification Produced FL ID



KELLY MCTAGGART
 Commission # HH 168723
 Expires August 24, 2025
 Bonded Thru Budget Notary Services

EXHIBIT "A"

A PORTION OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1840, PAGE 1862 OF THE CURRENT PUBLIC RECORDS OF ST. JOHNS COUNTY, ALSO BEING A PART OF LOTS 7-10, NAVARA PARK SUBDIVISION AS SHOWN IN MAP BOOK 3, PAGE 143 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, AND LYING IN SECTION 36, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF OLD LEWIS SPEEDWAY AS NOW ESTABLISHED WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY AS NOW ESTABLISHED; SAID POINT BEING THE MOST EASTERLY CORNER OF OFFICIAL RECORDS BOOK 1840, PAGE 1862 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE AND SOUTHWESTERLY ALONG THE ARC OF A CURVE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1149.33 FEET, THROUGH A CENTRAL ANGLE OF 10°59'10", AN ARC DISTANCE OF 220.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 54°38'10" WEST, 220.04 FEET; THENCE NORTH 08°42'44" WEST, DEPARTING SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 5.90 FEET TO A POINT THAT IS 5.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE NORTHEASTERLY ALONG AN ARC OF A CURVE THAT IS 5.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1154.33 FEET, THROUGH A CENTRAL ANGLE OF 5°41'08", AN ARC DISTANCE OF 114.54 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 52°08'30" EAST, 114.50 FEET; THENCE NORTH 08°42'44" WEST A DISTANCE OF 5.57 FEET TO A POINT THAT IS 10.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE OF LEWIS SPEEDWAY; THENCE NORTHEASTERLY ALONG AN ARC OF A CURVE THAT IS 10.00 FEET OFFSET AND PARALLEL TO SAID NORTHWESTERLY RIGHT OF WAY LINE, BEING CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1159.33 FEET, THROUGH A CENTRAL ANGLE OF 2°27'11", AN ARC DISTANCE OF 49.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 56°19'59" EAST, 49.63 FEET; THENCE NORTH 08°42'44" WEST A DISTANCE OF 10.40 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED OLD LEWIS SPEEDWAY; THENCE NORTH 81°09'11" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 51.66 FEET TO THE POINT OF BEGINNING.
CONTAINING 1,608 SQUARE FEET, MORE OR LESS.



2021 Aerial Imagery

Date: 6/27/2023

**Two Temporary
Construction Easements
& Grant of Easement
for Drainage Improvements**

**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.