

RESOLUTION NO. 2023- 31

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES, FINAL RELEASE OF LIEN, WARRANTY AND BILL OF SALE AND SCHEDULE OF VALUES ASSOCIATED WITH THE WATER SYSTEM TO SERVE SILVERLEAF PARCEL 20 COMMERCIAL LOCATED OFF SAINT JOHNS PARKWAY.

RECITALS

WHEREAS, Hutson Real Estate Investments, LLC, a Florida limited liability company has executed and presented to the County an Easement associated with the water system to serve Silverleaf Parcel 20 Commercial located off Saint Johns Parkway, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, Hutson Real Estate Investments, LLC, a Florida limited liability company, has executed and presented to the County a Bill of Sale and Schedule of Values conveying all personal property associated with the water system to serve Silverleaf Parcel 20 Commercial, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

WHEREAS, J.B. Coxwell, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Silverleaf Parcel 20 Commercial, attached hereto as Exhibits “C” and “D”, incorporated by reference and made a part hereof; and

WHEREAS, St. Johns County Utility Department has reviewed and approved the documents mentioned above, as stated in a memo attached hereto as Exhibit “E” 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.

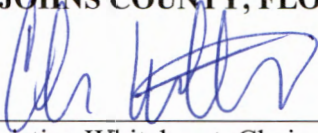
Section 2. The above described Easement for Utilities, Bill of Sale and Schedule of Values, Final Release of Lien and Warranty, attached and incorporated hereto, are hereby accepted by the Board of County Commissioners.

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 Easements for Utilities and Final Release of Lien and file the Warranty and Bill of Sale in the Public Records of St. Johns County, Florida.


PASSED AND ADOPTED this 7th day of February, 2023.

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

By: 
Christian Whitehurst, Chair

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

Rendition Date FEB 07 2023


Deputy Clerk



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 18th day of May, 2022 by Hutson Real Estate Investments, L.L.C., a Florida limited liability company with an address of 111 Nature Walk Parkway, Suite 104, St. Augustine, FL 32092, hereinafter called "Grantor" to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 4020 Lewis Speedway, 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 distribution system and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water and sewer utility services (hereinafter referred to as "Utility Lines and Associated Equipment") 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. The location of the ingress and egress area to the Easement area has been mutually agreed upon by the Grantor and Grantee. 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. (a) WATER SYSTEM - The Grantee shall maintain all water mains and other elements of the water distribution system up to and including the water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines between the water meter and the improvements served by the utility system.

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.

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.

GRANTOR:

Hutson Real Estate Investments, L.L.C., a Florida limited liability company

Signed, sealed and delivered
In the presence of:

Beverly L. Cunningham
Witness

By: Hutson Management, Inc., a Florida corporation, its manager,

By: Gary F. Hannon
Gary F. Hannon

Its: Vice President

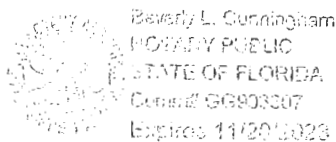
Beverly L. Cunningham
Print Name

Cody Hutson
Witness

Cody Hutson
Print Name

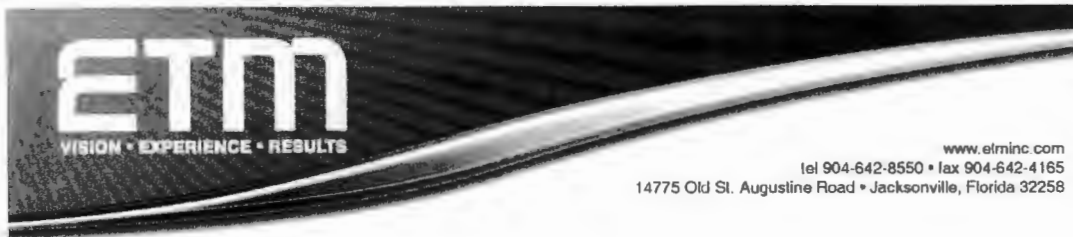
STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th day of May, 2022, by Gary F. Hannon as Vice President of Hutson Management, Inc., a Florida corporation who is personally known to me or has produced a valid driver's license as identification.



Beverly L. Cunningham
Notary Public
My Commission Expires: 11/20/2023

EXHIBIT "A"
EASEMENT AREA



May 13, 2022

Work Order No. 22-247.00
File No. 128H-14.00B

Utility Easement 2

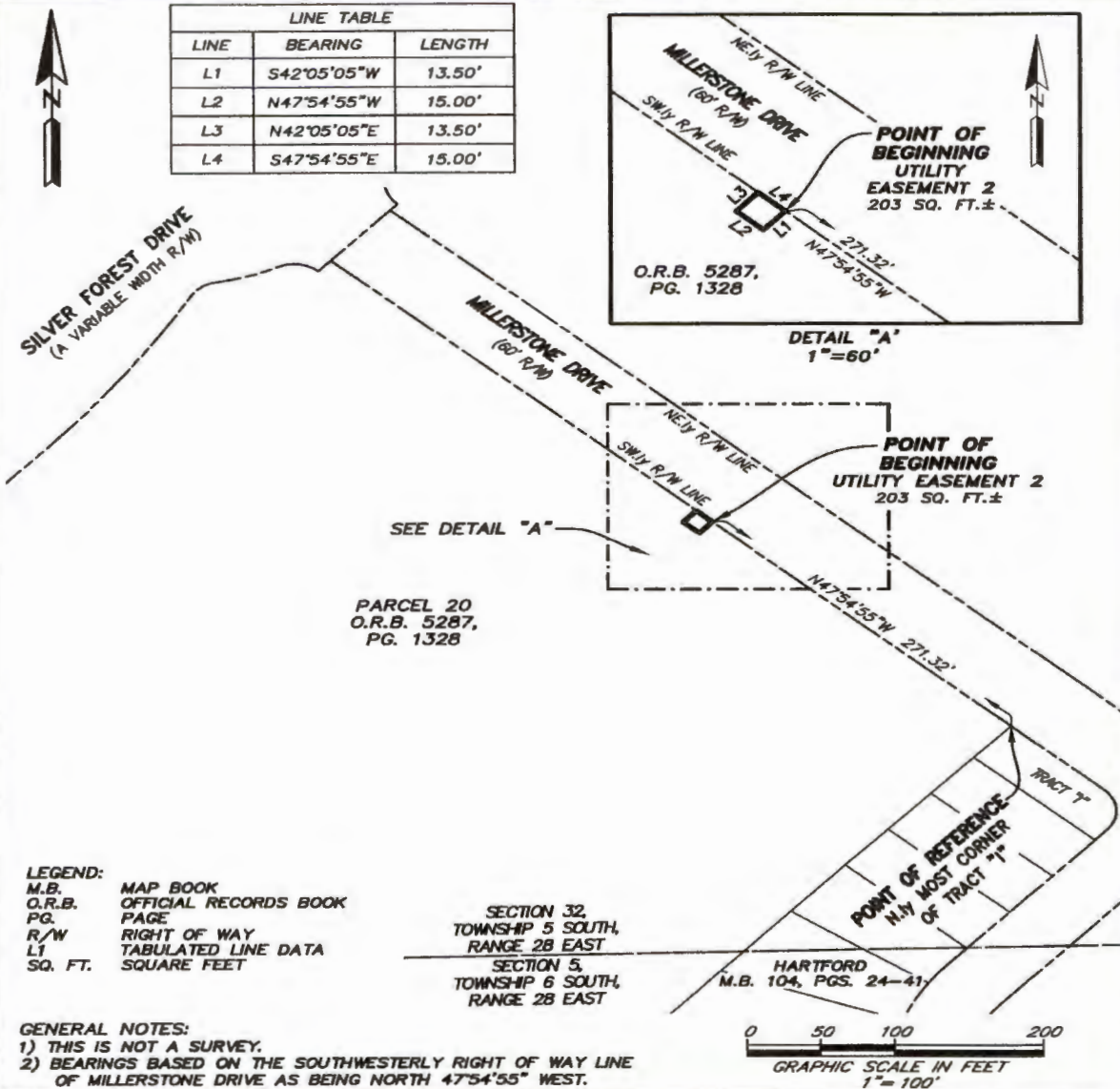
A portion of Section 32, Township 5 South, Range 28 East, St. Johns County, Florida, being a portion of those lands described and recorded in Official Records Book 5287, page 1328, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northerly most corner of Tract "I", as depicted on Hartford, a plat recorded in Map Book 104, pages 24 through 41, of the Public Records of said county, said corner lying on the Southwesterly right of way line of Millerstone Drive, a 60 foot right of way as presently established; thence North $47^{\circ}54'55''$ West, along said Southwesterly right of way line, 271.32 feet to the Point of Beginning.

From said Point of Beginning, thence South $42^{\circ}05'05''$ West, departing said Southwesterly right of way line, 13.50 feet; thence North $47^{\circ}54'55''$ West, 15.00 feet; thence North $42^{\circ}05'05''$ East, 13.50 feet to a point lying on said Southwesterly right of way line; thence South $47^{\circ}54'55''$ East, along said Southwesterly right of way line, 15.00 feet to the Point of Beginning.

Containing 203 square feet, more or less.

**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 28 EAST,
ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS
DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5287,
PAGE 1328, OF THE PUBLIC RECORDS OF SAID COUNTY,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**



LEGEND:
M.B. MAP BOOK
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
R/W RIGHT OF WAY
L1 TABULATED LINE DATA
SQ. FT. SQUARE FEET

GENERAL NOTES:
1) THIS IS NOT A SURVEY.
2) BEARINGS BASED ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF MILLERSTONE DRIVE AS BEING NORTH 47°54'55" WEST.

ETM
Surveying & Mapping, Inc.
VISION • EXPERIENCE • RESULTS

14775 Old St. Augustine Road, Jacksonville, FL 32258
Tel: (904) 642-8550 Fax: (904) 642-4165
Certificate of Authorization No.: LB 3624

SCALE: 1"=100'
DATE: MAY 13, 2022



Digitally signed by
Andrew O Knuppel

ANDREW O. KNUPPEL
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6511

May 13, 2022

Work Order No. 22-247.00
File No. 128H-14.00A

Utility Easement 3

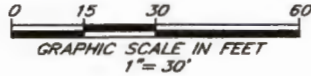
A portion of Section 5, Township 6 South, Range 28 East, St. Johns County, Florida, being a portion of those lands described and recorded in Official Records Book 5287, page 1328, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Westerly most corner of Tract "H", as depicted on Hartford, a plat recorded in Map Book 104, pages 24 through 41, of the Public Records of said county, said corner lying on the Northeasterly right of way line of St. Johns Parkway (County Road No. 2209), a variable width right of way as depicted on St. Johns Parkway and Silverleaf Parkway, a plat recorded in Map Book 97, pages 23 through 43, of said Public Records; thence North $47^{\circ}54'55''$ West, along said Northeasterly right of way line, 92.88 feet to the Point of Beginning.

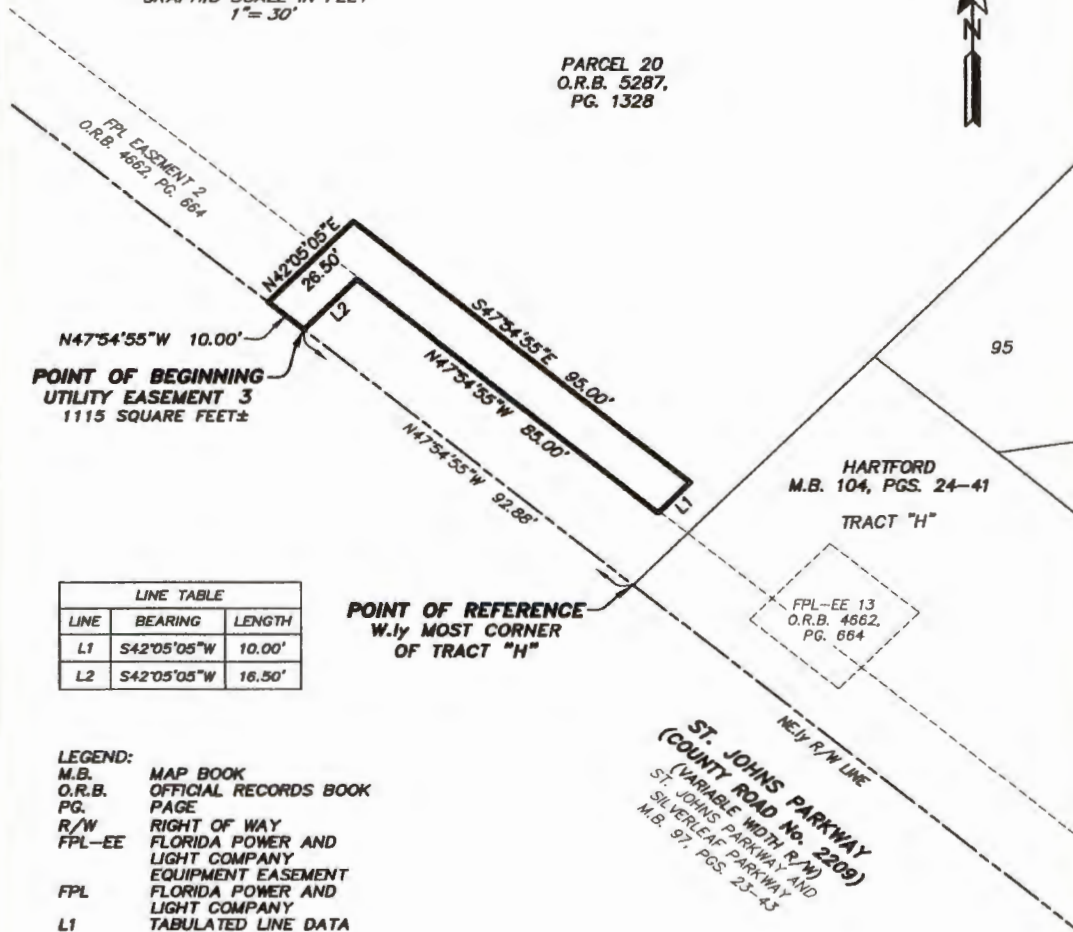
From said Point of Beginning, thence continue North $47^{\circ}54'55''$ West, along said Northeasterly right of way line of St. Johns Parkway, 10.00 feet; thence North $42^{\circ}05'05''$ East, departing said Northeasterly right of way line, 26.50 feet; thence South $47^{\circ}54'55''$ East, 95.00 feet; thence South $42^{\circ}05'05''$ West, 10.00 feet; thence North $47^{\circ}54'55''$ West, 85.00 feet; thence South $42^{\circ}05'05''$ West, 16.50 feet to the Point of Beginning.

Containing 1115 square feet, more or less.

**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 28 EAST,
ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS
DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5287,
PAGE 1328, OF THE PUBLIC RECORDS OF SAID COUNTY,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**



PARCEL 20
O.R.B. 5287,
PG. 1328



**POINT OF BEGINNING
UTILITY EASEMENT 3
1115 SQUARE FEET±**

**POINT OF REFERENCE
W.I.Y MOST CORNER
OF TRACT "H"**

LINE TABLE		
LINE	BEARING	LENGTH
L1	S42°05'05"W	10.00'
L2	S42°05'05"W	16.50'

LEGEND:
M.B. MAP BOOK
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
R/W RIGHT OF WAY
FPL-EE FLORIDA POWER AND LIGHT COMPANY EQUIPMENT EASEMENT
FPL FLORIDA POWER AND LIGHT COMPANY
L1 TABULATED LINE DATA

GENERAL NOTES:

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE NORTHEASTERLY RIGHT OF WAY LINE OF ST. JOHNS PARKWAY AS BEING NORTH 47°54'55" WEST.

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

ETM
Surveying & Mapping, Inc.
VISION - EXPERIENCE - RESULTS

14775 Old St. Augustine Road, Jacksonville, FL 32258
Tel: (904) 642-8550 Fax: (904) 642-4165
Certificate of Authorization No.: LB 3624



Digitally signed by
Andrew O Knuppel

SCALE: 1"=30'
DATE: MAY 13, 2022

ANDREW O. KNUPPEL
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6511

Exhibit "B" to Resolution

ST. JOHNS COUNTY UTILITY DEPARTMENT
3F - CLOSEOUT - BILL OF SALE

PROJECT: Silverleaf Parcel 20 Retail

Hutson Real Estate Investments, LLC
(111 Nature Walk Parkway, Suite 104, St. Augustine, FL 32092), (the (the "Seller")
for and in consideration of the sum of Ten and No/100 Dollars (\$10) and other good and valuable
consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains,
sells, transfers and delivers to **St. Johns County, Florida**, a political subdivision of the State of Florida,
the following personal property:

See "Exhibit A-Schedule of Values" for the project listed above. (*Note: The description listed should
match the description listed on the "Release of Lien"*)

The Seller does, for itself and its successors and assigns, covenant to and with St. Johns County and its
successors and assigns, that it is lawful owner of said personal property; that the personal property is
free of all encumbrances; that it has good rights to sell the same; and that it will warrant and defend the
sale of the personal property against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the Seller has caused this instrument to be duly executed and delivered by
its duly authorized office on this 31st of August, 2022.

WITNESS:

[Signature]
Witness Signature
Tania G. VerRooy
Witness Print Name

OWNER:

[Signature]
Owner Signature
Gary F. Hannon
Owner Print Name

STATE OF Florida
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of physical presence or _____
online notarization, this 31st day of August, 2022, by
Gary F. Hannon as Vice President for
Hutson Real Estate Investments, LLC.

[Signature]
Notary Public
My Commission Expires: 11/20/2023

Personally Known or Produced Identification
Type of Identification Produced


 Beverly L. Cunningham
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG933307
Expires 11/20/2023

Exhibit "A" to Bill of Sale



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name:	Silverleaf Parcel 20 Retail
Contractor:	J.B. Coxwell Contracting, Inc.
Developer:	Hutson Real Estate Investments

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
04" DR-18 PVC WM	LF	20.00	\$ 24.47	\$ 489.40
08" DR-18 PVC WM	LF	20.00	\$ 56.03	\$ 1,120.60
08" DR-18 FPVC WM	LF	28.00	\$ 72.00	\$ 2,016.00
Water Valves (Size and Type)				
4" Gate Valve WM - American	EA	2.00	\$ 1,119.32	\$ 2,238.64
8" Gate Valve WM - American	EA	3.00	\$ 1,871.94	\$ 5,615.82
Hydrants Assembly (Size and Type)				
Sevices (Size and Type)				
Total Water System Cost				\$ 11,480.46



ST. JOHNS COUNTY UTILITY DEPARTMENT
3C - CLOSEOUT - RELEASE OF LIEN
UTILITY IMPROVEMENTS

The undersigned lienor, in consideration of the sum
Eleven Thousand, Four Hundred Eighty Dollars & Forty Six Cents
hereby waives and releases its lien and right to claim a lien for Water, Sewer, and Reclaimed
Water labor, services or materials furnished through
9/2/2022 to Hutson Real Estate Investments
Date Developer's/Owner's Name)

to the following described property:

"SEE EXHIBIT A SCHEDULE OF VALUES FOR
Silverleaf Parcel 20 Retail
PROJECT NAME

Note: The description listed should match the description listed on the "Bill of Sale".

The waiver and release does not cover any retention or labor, services, or materials
furnished after the date specified.

IN WITNESS WHEREOF, the Lienor has caused this instrument to be duly executed and
delivered by its duly authorized office on this 2ND day of September,
2022.

WITNESS:
[Signature]
Witness Signature
J. Matthew Dennis
Print Witness Name

OWNER:
[Signature]
Lienor's Signature
Christopher Blank
Print Lienor's Name

STATE OF Florida
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of physical
presence or online notarization, this 2ND day of September, 2022, by
Christopher Blank as Vice President Operations for
J. B. Coxwell Contracting, Inc.

[Signature]
Notary Public
My Commission Expires: 11-8-2022

Personally Known or Produced Identification
Type of Identification Produced





St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name: Silverleaf Parcel 20 Retail
 Contractor: J.B. Coxwell Contracting, Inc.
 Developer: Hutson Real Estate Investments

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
04" DR-18 PVC WM	LF	20.00	\$ 24.47	\$ 489.40
08" DR-18 PVC WM	LF	20.00	\$ 56.03	\$ 1,120.60
08" DR-18 FPVC WM	LF	28.00	\$ 72.00	\$ 2,016.00
Water Valves (Size and Type)				
4" Gate Valve WM - American	EA	2.00	\$ 1,119.32	\$ 2,238.64
8" Gate Valve WM - American	EA	3.00	\$ 1,871.94	\$ 5,615.82
Hydrants Assembly (Size and Type)				
Sevices (Size and Type)				
Total Water System Cost				\$ 11,480.46

ST. JOHNS COUNTY UTILITY DEPARTMENT
3E - CLOSEOUT - WARRANTY

Date: 9/2/2022
Project Title: Silverleaf Parcel 20 Retail
FROM: J.B. Coxwell Contracting, Inc.
Contractor's Name
Address: 6741 Lloyd Rd W
Jacksonville, FL 32254

TO: St. Johns County Utility Department
Post Office Box 3006
St. Augustine, Florida 32085

The undersigned warrants all its work performed in connection with the above project to be free from all defects in material and workmanship for a period of (1) year from the date of acceptance of the project by St. Johns County and agrees to remedy all defects arising with that period at its expense.

The term defects shall not be construed as embracing damage arising from misuse, negligence, Acts of God, normal wear and tear or failure to follow operating instructions.

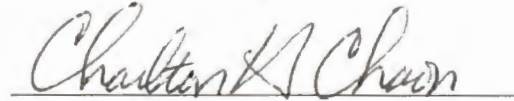
Contractor:

Christopher Blank
Print Contractor's Name


Contractor's Signature

STATE OF Florida
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of X physical presence or _____
on-line notarization, this 2ND day of September, 2022, by
Christopher Blank as Vice President Operations for
J.B. Coxwell Contracting, Inc.


Notary Public
My Commission Expires: 11-8-2022

Personally Known or Produced Identification
Type of Identification Produced





St. Johns County Board of County Commissioners

Utility Department

INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
SUBJECT: Silverleaf Parcel 20 Commercial
DATE: November 30, 2022

Please present the Easement, Bill of Sale, Schedule of Values, Release of Lien, and Warranty to the Board of County Commissioners (BCC) for final approval and acceptance of Silverleaf Parcel 20 Commercial.

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.



2021 Aerial Imagery

0 255 510 1,020
Feet

Date: 12/12/2022

Easement for Utilities,
Bill of Sale, Schedule of Values,
Final Release of Lien & Warranty

Silverleaf Parcel 20 Commercial

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.

