

RESOLUTION NO. 2023-396

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY TO PROVIDE ELECTRICAL SERVICE TO AN EXISTING CELL TOWER LOCATED OFF OF FUTURE CR 2209 AND INTERNATIONAL GOLF PARKWAY.

RECITALS

WHEREAS, St. Johns County (“County”) purchased a parcel of land located off planned County Road 2209, from TR WCC Property Owner, LLC, a Delaware limited liability company, (“Seller”) on September 8, 2023, for a stormwater pond site to serve future CR 2209; and

WHEREAS, at the time of acquisition the County and TR WCC Property Owner, LLC, a Delaware limited liability company, executed a Utility Easement Agreement and a Memorandum of Relocation of Easement over a 10 foot strip of land for the utilities to serve an existing cell tower located on Seller’s property; and

WHEREAS, Florida Power & Light Company (“FPL”) has requested the County grant it an Underground Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, for cell tower utilities in accordance with the existing Utility Easement Agreement; and

WHEREAS, the County has the authority to grant such rights, easements, permits and privileges and it is found that it is necessary for the protection of the County and the public for the County to grant FPL an easement for the purposes mentioned above.

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 Underground Easement to FPL is hereby approved by the Board of County Commissioners and the Chair is authorized to execute the Easement on behalf of the County.


Section 3. 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.

Section 4. The Clerk is instructed to record the original Underground Easement in the public records of St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 17th day of October, 2023.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Rendition Date: OCT 17 2023

By: 
Christian Whitehurst, Chair

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


By: 
Deputy Clerk



Exhibit "A" to Resolution

Work Request No. _____

**UNDERGROUND EASEMENT
(BUSINESS)**

Sec.38, Twp 6 S, Rge 28

E Parcel I.D. 0282000021

This Instrument Prepared By
Name: NICHOLAS LUBRANO
Co. Name: FLORIDA POWER AND LIGHT
Address: 303 HASTINGS RD
SAINT AUGUSTINE, FL 32080

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits, appurtenant equipment, and appurtenant above ground equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____,

2023. Signed, sealed and delivered in the presence of:

**ST. JOHNS COUNTY, FLORIDA,
a political subdivision of the State of Florida**

(Witness' Signature)
Print Name: _____
(Witness)

Bv: _____
Print Address: 500 San Sebastian View,
St. Augustine, Florida 32084

(Witness' Signature)
Print Name: _____
(Witness)

Name: _____
Title: _____

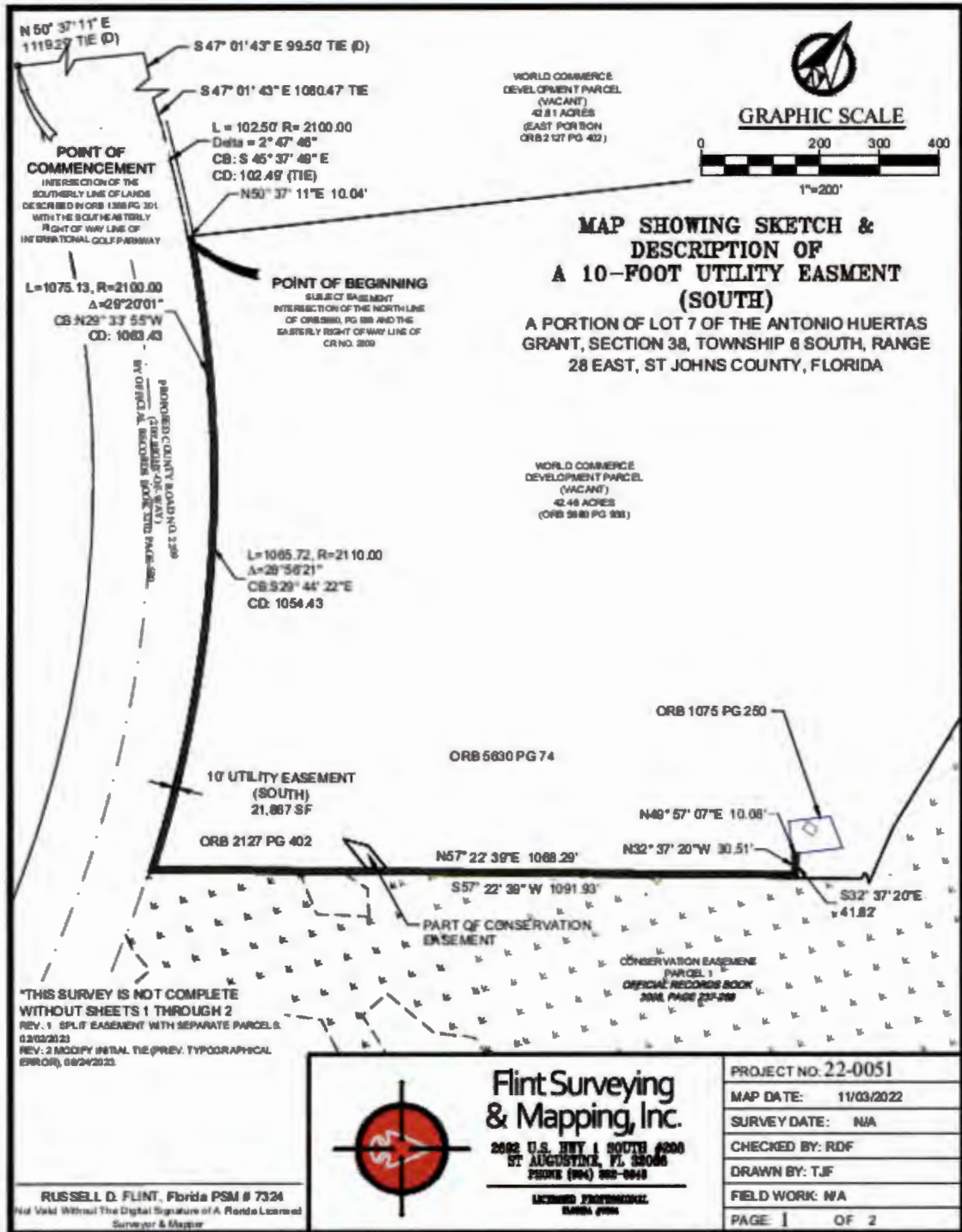
STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me by [] physical presence or [] on-line notarization, this _____ day of _____, 2023, by _____, the _____ of ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____

Exhibit "A" ("Easement Area")



Flint Surveying & Mapping, Inc.
 2602 U.S. HWY 1 SOUTH #200
 ST. AUGUSTINE, FL 32086
 PHONE (904) 282-8848

RUSSELL D. FLINT, Florida PSM # 7324
 Not Valid Without The Digital Signature of A Florida Licensed Surveyor & Mapper

PROJECT NO. 22-0051
MAP DATE: 11/03/2022
SURVEY DATE: N/A
CHECKED BY: RDF
DRAWN BY: T.J.F
FIELD WORK: N/A
PAGE 1 OF 2

**MAP SHOWING SKETCH & DESCRIPTION OF
A 10-FOOT UTILITY EASEMENT (SOUTH)**
A PORTION OF LOT 7 OF THE ANTONIO HUERTAS GRANT, SECTION 38,
TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA

DESCRIPTION 10' UTILITY EASEMENT

A 10 FOOT WIDE UTILITY EASEMENT SITUATED WITHIN A PORTION OF LOT 7 OF THE ANTONIA HUERTAS GRANT TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO ADJACENT TO AND ON THE NORTHEASTERLY SIDE OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO 2209 (A 200 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED), ALSO ADJACENT TO AND ON THE NORTHWESTERLY SIDE OF THE SOUTHEASTERLY LINE OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 5630 PAGE 938 & OFFICIAL RECORDS BOOK 2127 PAGE 402, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS,

COMMENCING FROM A POINT BEING THE INTERSECTION OF THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1368 PAGE 301, WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY; THENCE NORTH 50° 37' 11" E A DISTANCE OF 1119.29 FEET ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID INTERNATIONAL GOLF PARKWAY; THENCE S 47° 01' 43" E A DISTANCE OF 99.50 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID CR 2209; THENCE ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID CR 2209, S 47° 01' 43" E, A DISTANCE OF 1060.47 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE AND ALONG A 2100 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY AND ALONG THE ARC A DISTANCE OF 102.50 FEET, (CHORD BEARS S 46° 37' 46" E, 102.49 FEET) TO THE INTERSECTION OF THE NORTHERLY LINE OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 5680, PAGE 938 AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID CR2209, ALSO BEING THE POINT OF BEGINNING

THENCE ALONG A 2110 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY A DISTANCE OF 1065.72 FEET, (CHORD BEARS S 29° 44' 22" E, 1054.43 FEET), TO A POINT WHICH LIES 10 FEET NORTHWESTERLY AND PERPENDICULAR TO THE SOUTHEASTERLY PROPERTY LINE OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 5680 PAGE 938; THENCE NORTHEASTERLY ALONG A LINE BEING PARALLEL TO AND 10 FEET NORTHWESTERLY OF SAID SOUTHEASTERLY LINE OF THE PARCEL, N 57° 22' 39" E A DISTANCE OF 1068.29 FEET (SAID LINE CROSSES THROUGH A CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3008 PAGE 237-268); THENCE N 32° 37' 20" W A DISTANCE OF 30.51 FEET TO THE SOUTHERLY LINE OF A CELL TOWER PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 1075 PAGE 250; THENCE N 49° 57' 07" E A DISTANCE OF 10.08 FEET ALONG SAID SOUTH LINE OF CELL TOWER PARCEL; THENCE LEAVING SAID CELL TOWER PARCEL LINE S 32° 37' 20" E A DISTANCE OF 41.82 FEET TO THE SOUTH LINE OF SAID PARCEL RECORDED IN OFFICIAL RECORDS BOOK 5630 PAGE 938 AND OFFICIAL RECORDS BOOK 2127 PAGE 402; THENCE S 57° 22' 39" W A DISTANCE OF 1091.93 FEET ALONG SAID SOUTH BOUNDARY LINE AND CROSSING SAID CONSERVATION EASEMENT, TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO 2209; THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND ALONG A 2100 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY A DISTANCE OF 1075.13 FEET (CHORD BEARS N 29° 33' 55" W, 1069.43 FEET) TO THE POINT OF BEGINNING.
CONTAINS 21,887 SQ.FT. MORE OR LESS.

NOTES

1. THIS IS NOT A BOUNDARY SURVEY.
2. THE BEARINGS SHOWN UPON THIS SURVEY ARE BASED ON (NAD 83) NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE WITH THE WEST RIGHT OF WAY LINE OF INTERNATIONAL GOLF PARKWAY AS BEING N 50° 37' 11" E.

ABBREVIATION

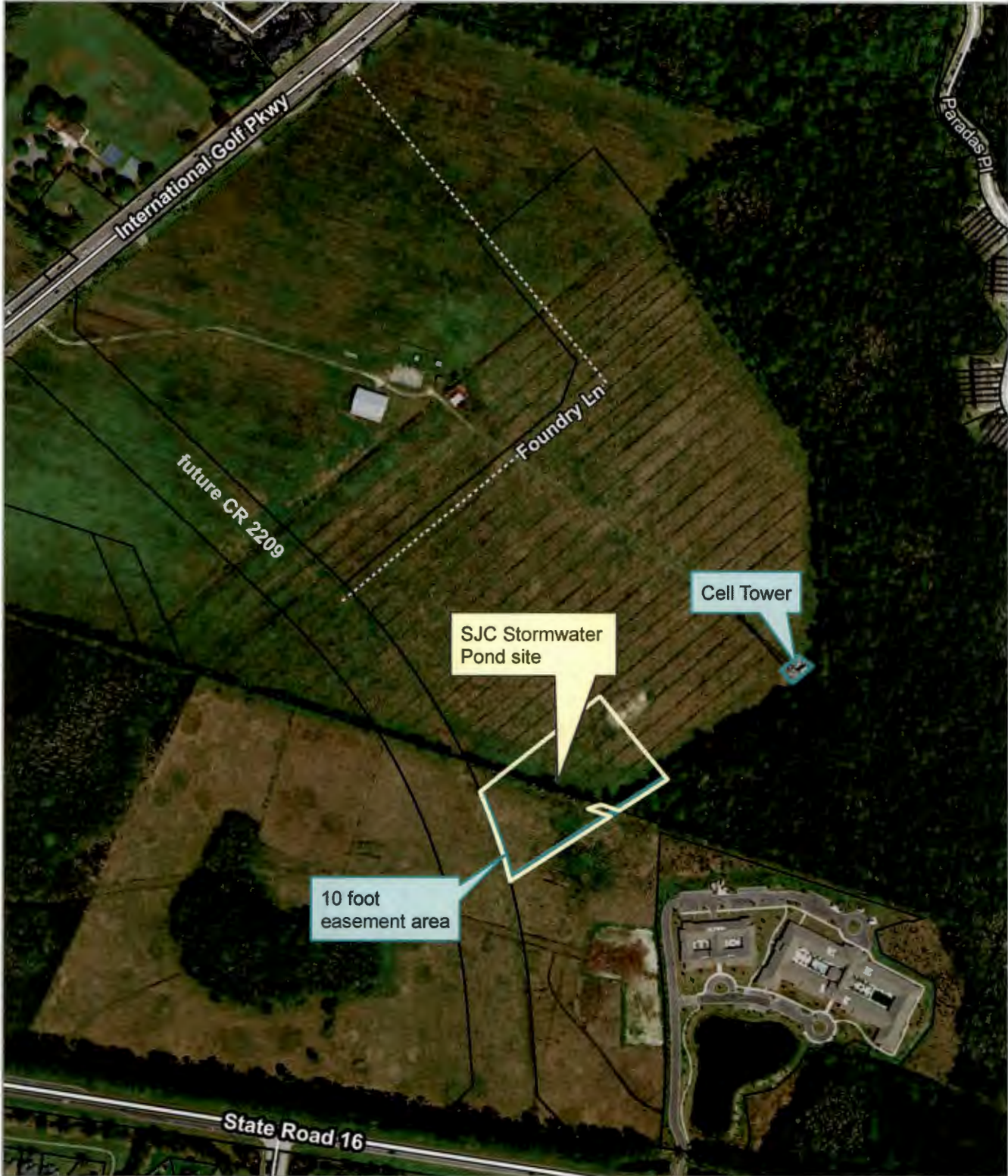
PID # - PARCEL IDENTIFICATION NUMBER
(P) - PER PLAT
(M) - MEASURED
ℓ - PROPERTY LINE

*THIS SURVEY IS NOT COMPLETE WITHOUT SHEETS 1 THROUGH 2



Flint Surveying & Mapping, Inc.
3002 U.S. HWY 1 SOUTH #206
ST. AUGUSTINE, FL. 32086
PHONE (904) 302-9648
MICHAEL P. FLORES
Surveyor

PROJECT NO:	22-0051
MAP DATE:	11/03/2022
SURVEY DATE:	N/A
CHECKED BY:	RDF
DRAWN BY:	T.JF
FIELD WORK:	N/A
PAGE:	3 OF 3




2023 Aerial Imagery
Date: 10/9/2023

Underground Easement
to FPL to serve
existing cell tower

CR 2209/International
Golf Parkway



Land Management
Systems
(904) 209-0760

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.