

RESOLUTION NO. 2023- 89

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR TO EXECUTE AN ABANDONMENT AND RELEASE OF EASEMENT AT PRESERVE AT BANNON LAKES PHASE 2-C LOCATED OFF INTERNATIONAL GOLF PARKWAY.**

**RECITALS**

**WHEREAS**, Pulte Home Company, LLC executed and recorded an Easement for Utilities recorded in the public records of St. Johns County at Official Records Book 5631, Page 1220, granting St. Johns County an easement for ingress, egress, and installation of utilities at Preserve at Bannon Lakes Phase 2-C located off International Golf Parkway; and

**WHEREAS**, this Easement for Utilities should have been temporary in nature, was not presented to, nor accepted by, the St. Johns County Board of County Commissioners, and was recorded in error by Pulte Home Company, LLC; and

**WHEREAS**, this Easement for Utilities is not necessary because the road rights-of-way designated in the Plat of Preserve at Bannon Lakes Phase 2-C, Map Book 112, Page 58, have been dedicated to St. Johns County; and

**WHEREAS**, Pulte Home Company, LLC has requested St. Johns County execute and record an Abandonment and Release of Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, terminating the Easement for Utilities and releasing all rights, title and interest in and to the Easement; and

**WHEREAS**, it is in the best interest of the public for the Chair to execute this Abandonment and Release of Easement.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**, as follows:

1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

2. The Board of County Commissioners hereby authorize the Chair to execute the Abandonment and Release of Easement.

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.

4. The Clerk of Court is instructed to record the Abandonment and Release of Easement in the Official Records of St. Johns County, Florida.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of march, 2023.

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

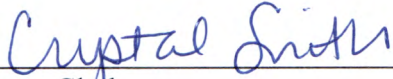
BY: \_\_\_\_\_

  
Christian Whitehurst, Chair

Rendition Date \_\_\_\_\_

**MAR 21 2023**

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

  
\_\_\_\_\_  
Deputy Clerk



Prepared by:  
St. Johns County  
4020 Lewis Speedway  
St. Augustine, Florida 32084

EXHIBIT "A" TO RESOLUTION

**ABANDONMENT AND RELEASE OF EASEMENT**

**WHEREAS, ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, (hereinafter "Grantee") whose address is 500 San Sebastian View, St. Augustine, FL 32084, by that certain Easement for Utilities dated September 2, 2022 and recorded in the public records of St. Johns County, State of Florida, in Official Records Book 5631 Page 1220, was granted an easement for ingress, egress and installation of utilities (hereinafter, the "Easement").

**AND WHEREAS**, this Easement should have been temporary in nature, was not presented to, nor accepted by, the St. Johns County Board of County Commissioners, was recorded in error by the Grantor, Pulte Home Company, LLC, and is not necessary because the road right-of-ways designated in the Plat of Preserve at Bannon Lakes Phase 2-C, Map Book 112, Page 58, have been dedicated to St. Johns County.

**NOW, THEREFORE**, Grantee in consideration of the premises as of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby declare that the easement granted to Grantee under the terms of the foregoing Easement for Utilities is hereby abandoned, and Grantee does release all of its right, title and interest in and to the Easement.

**IN WITNESS WHEREOF, ST. JOHNS COUNTY, FLORIDA** has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of the Board, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Signed, sealed and delivered  
In the presence of:

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

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Christian Whitehurst, Chair

\_\_\_\_\_  
Print Name: \_\_\_\_\_

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

\_\_\_\_\_  
Deputy Clerk

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Christian Whitehurst as Chair for Board of County Commissioners, St. Johns County, Florida who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



2021 Aerial Imagery  
February 15, 2023

Abandonment and Release of Easement  
*Preserve at Bannon Lakes Phase 2-C*

Land Mngt. Systems  
Real Estate Division  
209-0764  
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.

