

RESOLUTION NO. 2024-131

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT TO ST. JOHNS COUNTY TO SERVE CONSTRUCTION OF A PORTION OF COUNTY ROAD 2209 LOCATED BETWEEN STATE ROAD 16 AND INTERNATIONAL GOLF PARKWAY.

RECITALS

WHEREAS, TR WCC Property Owner, LLC, a Delaware limited liability company, has executed and presented to St. Johns County (“County”) a Temporary Construction Easement to serve construction of a portion of County Road 2209 located between State Road 16 and International Golf Parkway (“South Segment”), attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, the easement is necessary for the construction of County Road 2209 and associated drainage improvements; and

WHEREAS, it is in the best interest of the County to accept the Temporary Construction 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 Easement, attached and incorporated hereto, is 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 in the Official Records of St. Johns County, Florida.

PASSED AND ADOPTED this 2nd day of April, 2024.

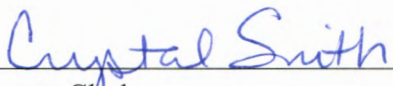
**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: 

Sarah Arnold, Chair

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

Rendition Date: APR 03 2024



Deputy Clerk



Exhibit "A" to Resolution

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

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT made this 7th day of March, 2024, by and between TRW CC Property Owner, LLC, a Delaware limited liability company, whose address is 300 South Tyron Street, Ste 2500, Charlotte, NC 28202, 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 \$10.00 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 for the purpose of construction of a roadway known as CR 2209, including tying-in, conforming, harmonizing, and/or reconnecting existing grade, slope, pavement, drainage, utility, driveway, walkway, turnout, and/or other features located on or within the real property located in St. Johns County, Florida, described as follows:

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

In consideration of the granting of this easement, Grantee agrees to indemnify and hold grantor harmless for any and all claims and/or damages that arise out of grantee's exercise of the rights herein and/or grantee's entry onto grantor's property. Further, grantee shall repair any damages to grantor's property, and upon completion of any work performed in connection herewith, grantee shall restore grantor's property to substantially the same condition existing prior to grantee's entry. Nothing herein shall be construed as a waiver of grantee's sovereign immunity nor as its consent to be sued by third parties. Grantee's liability is limited in an amount not to exceed the monetary limits on liability and attorney's fees and costs set forth in Section 768.28, Florida Statutes (2023), as this statute may be amended from time to time. The provisions and limitations of Section 768.28, Florida Statutes (2023), as this statute may be amended from time to time, are deemed to apply to this contractual agreement to indemnify as though this statute applied to waiver of sovereign immunity, liability, and damages for claims or actions arising in tort or contract.

It is understood and agreed by the parties hereto that the rights granted herein will terminate the earlier of (i) the completion of grantee's work adjacent to grantor's property, or (ii) 60 months from the date of recordation of this easement.

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

<p>Signed, sealed and delivered in Our presence as Witnesses:</p> <p>(sign) <u>[Signature]</u></p> <p>(print) <u>Jack Lyne</u></p> <p>(Address) <u>Ten Fan Pier Blvd., Ste 900</u> <u>Boston, MA 02210</u></p> <p>(sign) <u>[Signature]</u></p> <p>(print) <u>Julia Leavelle</u></p> <p>(Address) <u>Ten Fan Pier Blvd., Ste 900</u> <u>Boston, MA 02210</u></p>	<p>GRANTOR: TR WCC Property Owner LLC, a Delaware limited liability company</p> <p>By: <u>[Signature]</u></p> <p>Name: <u>Hayden Tilley</u></p> <p>Title: <u>Director</u></p>
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STATE OF MA
COUNTY OF SUFFOLK

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7th day of March, 2024, by Hayden Tilley, for TR WCC Property Owner LLC, its Director.

[Signature]
Notary Public
My Commission Expires: 11/16/2029
David T. Carpio

Personally Known or Produced Identification
Type of Identification Produced



<p>Signed, sealed and delivered in Our presence as Witnesses:</p> <p>(sign) _____</p> <p>(print) _____</p> <p>(Address) _____ _____</p> <p>(sign) _____</p> <p>(print) _____</p> <p>(Address) _____ _____</p>	<p>GRANTEE: ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p>
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STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2024, by _____, for ST. JOHNS COUNTY, FLORIDA, as its _____.

Notary Public
My Commission Expires:

Personally Known or Produced Identification
Type of Identification Produced

Exhibit "A" to Temporary Construction Easement

ETM

4775 1st Avenue, Suite 100, St. Johns County, Florida 32057
Phone: 407.291.1111 Fax: 407.291.1112

Description

TCE Parcel 706

A Portion Of The Antonio Huertas Grant, Section 38, Township 6 South, Range 28 East, St. Johns County, Florida, Being More Particularly Described As Follows:

Commence At The Northeast Corner Of The Plat Of Murabella Unit Three As Recorded In Map Book 57, Page 94, Of The Public Records Of St. Johns County, Florida; Thence South 80°53'59" East Along The Southerly Existing Right Of Way Line Of State Road Number 16, A 200 Foot Right Of Way Per Florida Department Of Transportation Right Of Way Map, Section 78060-2522, A Distance Of 284.17 Feet; Thence North 04°14'23" West, A Distance Of 305.68 Feet To The Easterly Existing Right Of Way Line Of St. Johns County Road Number 2209, A Variable Width Right Of Way As Presently Established, Thence Continue North 04°14'23" West, Along Said Easterly Existing Right Of Way Line, A Distance Of 292.30 Feet To The Point Of Curvature Of A Curve Concave Westerly, Having A Radius Of 2100.00 Feet; Thence Northerly, Continuing Along Said Easterly Existing Right Of Way Line And Along The Arc Of Said Curve, Through A Central Angle Of 18°37'51", An Arc Length Of 682.85 Feet To The Point Of Beginning, Said Arc Being Subtended By A Chord Bearing And Distance Of North 13°33'18" West, 679.85 Feet; Thence Northerly Continuing Along Said Easterly Existing Right Of Way Line And Along The Arc Of A Curve Concave Westerly, Having A Radius Of 2100.00 Feet, Through A Central Angle Of 21°19'14", An Arc Length Of 781.44 Feet To The Northerly Line Of Those Lands Described And Recorded In Official Records Book 5680, Page 938 Of The Public Records Of Said St. Johns County, Florida, Said Arc Being Subtended By A Chord Bearing And Distance Of North 33°31'51" West, 776.94 Feet; Thence North 50°37'11" East, Along Said Northerly Line A Distance Of 15.05 Feet To A Curve Concave Westerly, Having A Radius Of 2115.00 Feet; Thence Southerly Along The Arc Of Said Curve, Through A Central Angle Of 21°10'25", An Arc Length Of 781.59 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South 33°34'12" East, 777.16 Feet; Thence South 51°37'53" West, A Distance Of 15.56 Feet To The Point Of Beginning.

Containing 11,722 Square Feet, More Or Less

ETM 10/11/11 10:11:11 AM

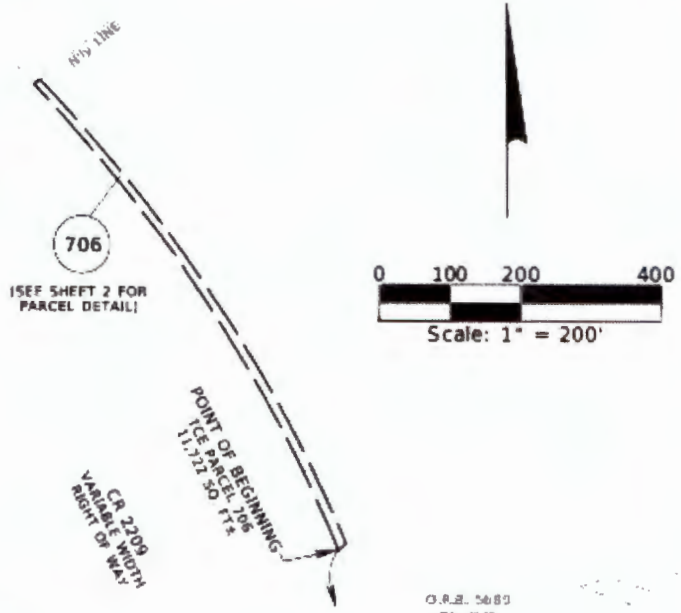
**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP
6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**

NOTE:
1) THIS IS NOT A SURVEY.
2) BEARINGS BASED ON THE
SOUTHERLY EXISTING HIGHWAY
LINE OF STATE ROAD NO. 45,
BEING SOUTH 72° 59' EAST.

REVISED TO SHEET 11, 10/23/11
AMEND SURVEYERS ERROR.

LEGEND:

FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
SR	STATE ROAD
CR	COUNTY ROAD
O.R.B.	OFFICIAL RECORDS BOOK
PG.	PAGE
R	RADIUS
Δ	CENTRAL ANGLE
L	ARC LENGTH
CB	CHORD BEARING
CD	CHORD DISTANCE
LI	LINE NUMBER
±	MORE OR LESS
---	BREAK IN SCALE



Δ = 18° 37' 51"
L = 682.85'
R = 2,100.00'
C.D. = 679.85'
C.B. = N 13° 33' 18" W

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

14775 Old St. Augustine Road, Jacksonville, FL 32212
Tel. 904 542 8550 Fax. 904 542 4160
Certificate of Authorization No. LR 3524

THIS DOCUMENT 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. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SCOTT A. GRAHAM, P.S. # 15 5546 ON OCTOBER 11, 2021.

I HEREBY CERTIFY THAT THE INFORMATION HEREON WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYORS AND MAPPERS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SCOTT A. GRAHAM
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA CERTIFICATE No. 15 5546

SHEET 1 OF 2

POINT OF REFERENCE -
N.E. CORNER OF
MURABELLA UNIT THREE

MURABELLA UNIT THREE
MAP BOOK 57 95 98
PUBLIC RECORDS OF ST
JOHNS COUNTY FL

SR No. 16
200' RIGHT OF WAY
PER FOOT RIGHT OF WAY MAP
SECTION 78060-2522

S 80° 53' 59" E
284.17'

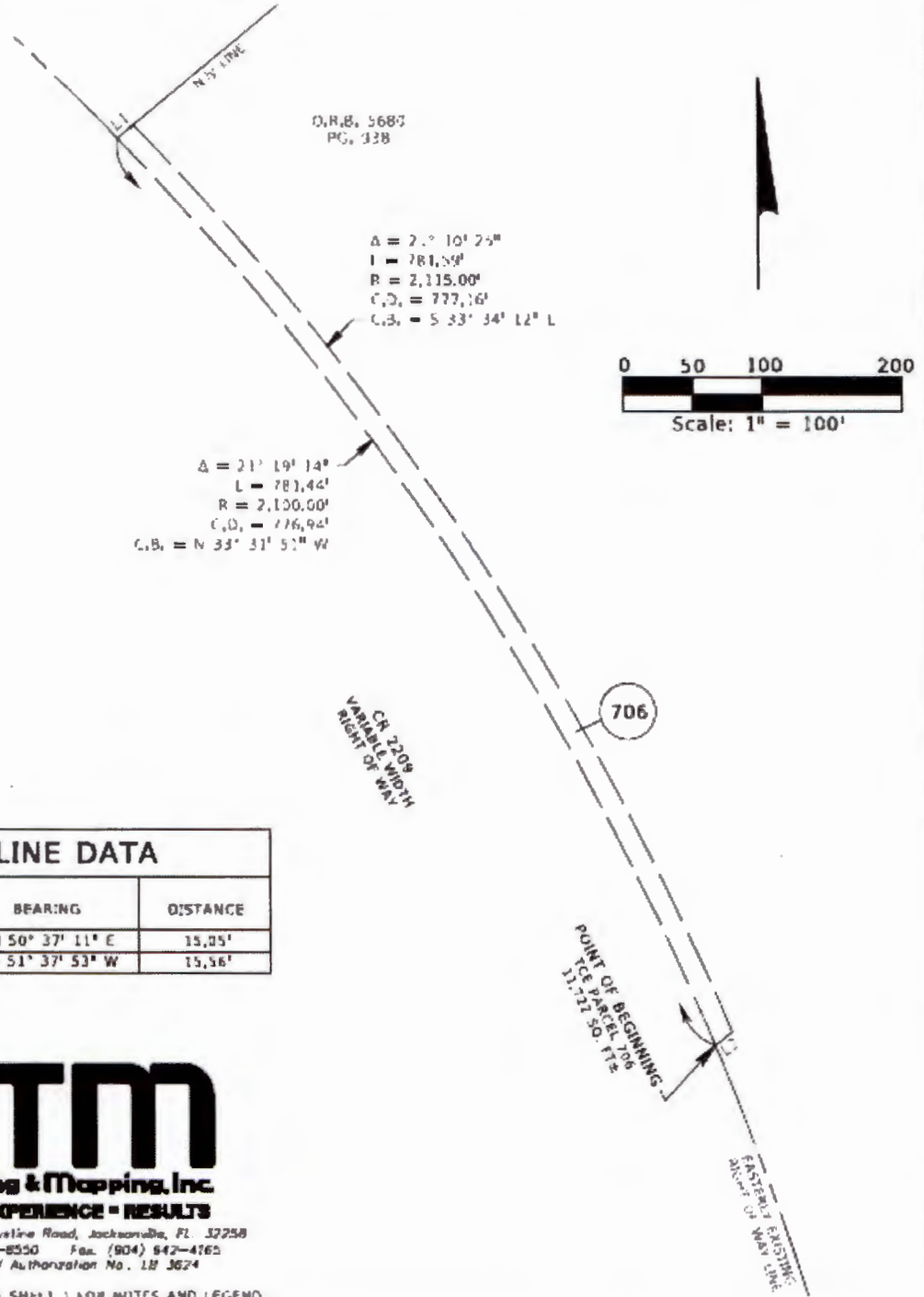
N 04° 14' 23" W
202.30'

N 04° 14' 23" W
305.68'

EASTERLY EXISTING
RIGHT OF WAY LINE

SOUTHERLY EXISTING
RIGHT OF WAY LINE

**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6
SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**



LINE DATA		
LINE	BEARING	DISTANCE
L1	N 50° 37' 11" E	15,05'
L2	S 51° 37' 53" W	15,56'

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



2023 Aerial Imagery

Date: 3/8/2024

Temporary Construction
Easement to serve
CR 2209



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 hereon.