

RESOLUTION NO. 2024-15

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES, BILL OF SALE, FINAL RELEASE OF LIEN AND WARRANTY ASSOCIATED WITH THE FIRE HYDRANT SYSTEM TO SERVE ENTRADA AMENITY CENTER LOCATED OFF STATE ROAD 207.

RECITALS

WHEREAS, D. R. Horton, Inc. - Jacksonville, a foreign profit corporation, has executed and presented to the County an Easement for Utilities associated with the fire hydrant system to serve Entrada Amenity Center located off State Road 207, attached hereto as Exhibit "A" incorporated by reference and made a part hereof; and

WHEREAS, D. R. Horton, Inc. - Jacksonville, a foreign profit corporation, has executed and presented to the County a Bill of Sale with a Schedule of Values conveying all personal property associated with the water system to serve Entrada Amenity Center, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, ACS Utilities, LLC, a Florida limited liability company, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Entrada Amenity Center, 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, 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 Final Release of Lien and file the Bill of Sale, Warranty and recorded Easement for Utilities in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 16th day of January, 2024.

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

By: _____


Sarah Arnold, Chair

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

Rendition Date: JAN 18 2024



Deputy Clerk



Prepared By:
St. Johns County
500 San Sebastian View
St. Augustine, FL 32084

Public Records of St. Johns County, FL
Clerk number: 2023096757
BK: 5870 PG: 1466
12/13/2023 12:01 PM
Recording \$52.50
Doc. D \$0.70

Exhibit "A" to the Resolution
EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 13 day of July, 2023
by **D.R. HORTON, INC. - JACKSONVILLE**, with an address of 4220 Race Track
Road, St. Johns, FL 32259, hereinafter called "Grantor" to **ST. JOHNS COUNTY,
FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San
Sebastian View, 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
Fire Hydrant 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. This easement is
for the Fire Hydrant 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. Fire Hydrant - The Grantee shall maintain Fire Hydrant(s) and shall be responsible for maintaining the water line located within the boundary of the Easement.

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.

Signed, sealed and delivered
In the presence of:

D.R. HORTON, INC. - JACKSONVILLE
a Delaware corporation

Deborah McClure
Witness Signature

By: *Philip A. Fremento* VP

Deborah McClure
Print Name

Print Name: Philip A. Fremento

Anthony Sharo
Witness Signature

Its: Vice President

Anthony Sharo
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 13 day of July, 2023, by Philip A. Fremento as Vice President for D.R. HORTON, INC. - JACKSONVILLE.



DEBORAH E. MCCLURE
Commission # GG 967814
Expires July 10, 2024
Bonded Thru Budget Notary Services

Deborah E. McClure
Notary Public
My Commission Expires: 7/10/24

Personally Known or Produced Identification
Type of Identification Produced

Notary Public

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

LEGAL DESCRIPTION

A portion of land lying in Section 34, Townships 7 South, Range 29 East St. John's County, Florida, being more particularly described as follows:

Commence at the Northwest Corner of Entrada Phase I Unit I, according to the Plat thereof as Recorded in Plat Book 104, of Pages 86 through 91, inclusive, in the Public Records of St. John's County, Florida; thence S0°38'44"E along the West Line of said plat Entrada Phase I Unit I, a distance of 240.82 feet to a point of curvature of a circular curve to the left concave to the Northeasterly, said curve having a radius of 182.00 feet, a central angle of 46°56' 22"; thence Southerly and Southeasterly, along the Westerly and Southwesterly curvilinear line of said plat Entrada Phase I Unit I, along said curve for an arc distance of 149.10 feet, said curve subtended by a chord bearing and distance off S 23°40'01" E, 144.97 feet to a point of tangency; thence S 47°08'12" E along the Southwesterly line of said Plat of Entrada Phase I unit I, said bearing also being the Basis of Bearings for the description contained herein, for a distance of 1026.42 feet; thence S 15°24'12" E, along the Westerly line of said plat of Entrada Phase I unit I, a distance of 50.00 feet to a point on the Northwesterly Right-of Way of Rio San Juan Road (as now established for a width of 80 feet); said point also being a point of non-tangency of a circular curve to the left, concave to the Southwesterly, said point bearing N 15°24'12" W, 1330.00 Feet, from the radius point, said curve having a radius of 1330.00 feet, a central angle of 8°44'33"; thence Southwesterly along the Northwesterly curvilinear line of said Rio San Juan Road for an arc distance of 202.94 feet, said curve subtended by a chord bearing and distance of S 70°13' 31" W, 202.74 feet to a point of tangency; thence S 65°51'15" W along the Northwesterly Right-of-Way Line of said Rio San Juan Road, a distance 34.28 feet to the Point of Beginning of the description contained herein; thence continue S 65°51'15" W along said Northwesterly Right-of-Way line a distance of 10.00 feet; thence departing said Northwesterly Right-of-Way Line, N 23°57'11" W, a distance of 55.00 feet; thence N 66°01'49" E, a distance of 12.78 feet; thence N 23°57'11" W, a distance of 24.79 feet; thence N 66°01'49" E, a distance of 10.00 feet; thence S 23°57'11" E, a distance of 34.79 feet thence S 66°01'49" W, a distance of 12.78 feet; thence S 23°57'11" E, a distance of 44.99 feet to the Point of Beginning.

SHEET INDEX

SHEET 1: LEGAL DESCRIPTION & NOTES
SHEET 2: SKETCH OF DESCRIPTION

1				
2				
3				
No.	DATE:	DESCRIPTION	BY	CHK
		REVISION		

SURVEYOR'S NOTES

- THIS IS NOT A BOUNDARY SURVEY.
- THIS LEGAL DESCRIPTION AND SKETCH TO ACCOMPANY LEGAL DESCRIPTION IS COMPRISED OF 2 PAGES EACH PROVIDING DISTINCTIVE INFORMATION REGARDING THIS PROJECT, THEREOF AL PAGES CONSTITUTE THE LEGAL DESCRIPTION AND SKETCH TO ACCOMPANY LEGAL DESCRIPTION, ONE SHEET NOT VALID WITHOUT ALL OTHERS.
- BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE, EAST ZONE 901, NORTH AMERICAN DATUM 1983 (2011 ADJUSTMENT), DERIVING A BEARING OF S 47°08'12" E ALONG THE SOUTHWESTERLY LINE OF ENTRADA PHASE I UNIT I, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 104, PAGES 86 THROUGH 91, INCLUSIVE, IN THE PUBLIC RECORDS OF ST. JOHN'S COUNTY, FLORIDA.
- THIS LEGAL DESCRIPTION AND SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 6J-17-050-52.
- 10 FOOT WIDE FLORIDA POWER AND LIGHT EASEMENT CROSSES OVER, ACROSS AND BELOW 10 FOOT WIDE FIRE LINE EASEMENT.

DESCRIPTION

CERTIFICATE TO: D R HORTON JACKSONVILLE, INC.

I HEREBY CERTIFY THAT DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION ON THE DATE SHOWN AND CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA IN ACCORDANCE WITH CHAPTER 6J-17-50-52, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.



3/21/2023
DATE

KARL F. KUHN
P.S.M. No.5953 STATE OF FLORIDA
DOCUMENT NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF KARL F. KUHN
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

ASSOCIATED SURVEYING, LLC

13013 Viburnum Drive South
Jacksonville, FL 32248
Phone: (904) 982-8269
associatedsurveying.fl@gmail.com
PROFESSIONAL SURVEYORS AND MAPPERS
LB No.8545

SKETCH OF DESCRIPTION OF 10 FOOT WIDE FIRE LINE EASEMENT

SECTION 34, TOWNSHIPS 7 SOUTH, RANGE 29 EAST
ST. JOHN'S COUNTY, FLORIDA

PREPARED FOR:
**D R HORTON
JACKSONVILLE, INC.**

PROJECT NUMBER
23-0101

SHEET 1 OF 2

EXHIBIT "A"

SKETCH OF DESCRIPTION ONLY
NOT A BOUNDARY SURVEY

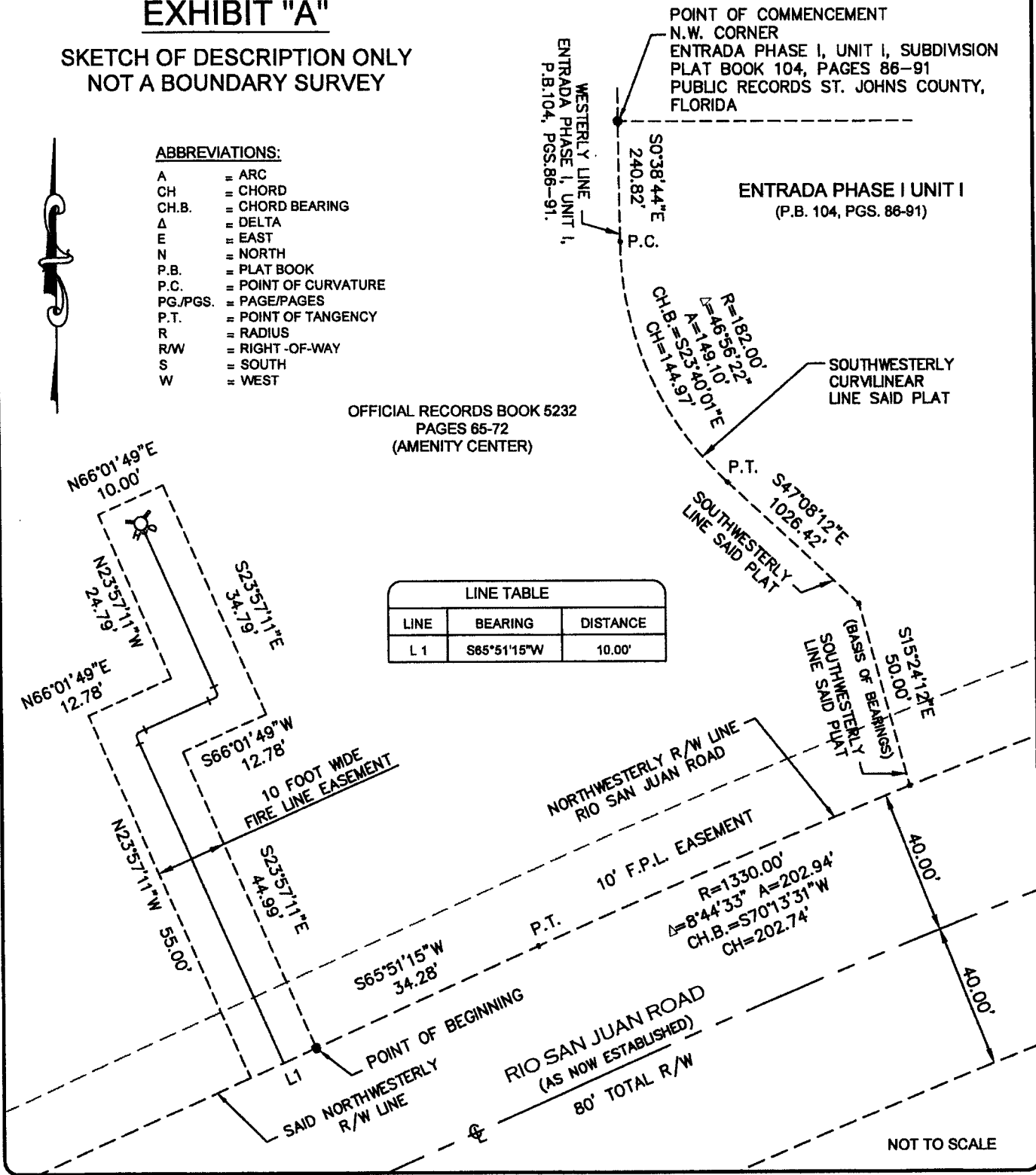


ABBREVIATIONS:

- A = ARC
- CH = CHORD
- CH.B. = CHORD BEARING
- Δ = DELTA
- E = EAST
- N = NORTH
- P.B. = PLAT BOOK
- P.C. = POINT OF CURVATURE
- PG./PGS. = PAGE/PAGES
- P.T. = POINT OF TANGENCY
- R = RADIUS
- R/W = RIGHT-OF-WAY
- S = SOUTH
- W = WEST

OFFICIAL RECORDS BOOK 5232
PAGES 65-72
(AMENITY CENTER)

LINE TABLE		
LINE	BEARING	DISTANCE
L 1	S85°51'15"W	10.00'



NOT TO SCALE

ASSOCIATED SURVEYING, LLC
13013 Viburnum Drive South
Jacksonville, FL 32246
Phone: (904) 982-8269
associatedsurveying.fl@gmail.com
PROFESSIONAL SURVEYORS AND MAPPERS
LB No.8545

SKETCH OF DESCRIPTION
OF
10 FOOT WIDE FIRE LINE EASEMENT

SECTION 34, TOWNSHIPS 7 SOUTH, RANGE 28 EAST
ST. JOHN'S COUNTY, FLORIDA

PREPARED FOR:
D R HORTON
JACKSONVILLE, INC.

PROJECT NUMBER
23-0101

SHEET 2 OF 2

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

PROJECT: Entrada Amenity Center

D.R. Horton, Inc. - Jacksonville, 4220 Race Track Road, St. Johns, FL 32259

Owners Name and Address, (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 _____ of September, 2022.

WITNESS:

[Signature]
Witness Signature

James E. Teagle
Witness Print Name

OWNER:

[Signature]
Owner Signature

Philip A. Fremento, V.P. of D.R. Horton, Inc. - Jacksonville
Owner Print Name

STATE OF FLORIDA

COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of xxx physical presence or _____ online notarization, this 7th day of September, 2022, by

Philip A. Fremento as Vice President for
D.R. Horton, Inc. - Jacksonville, a Delaware corporation

Jennifer Grose
Notary Public
My Commission Expires: 5/18/25

Personally Known or Produced Identification
Type of Identification Produced





St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name: Exhibit "A" to the Bill of Sale
ENTRADA AMENITY CENTER
 Contractor: ACS UTILITIES LLC
 Developer: K&G CONTRUSTION

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
5 LF OF 2" DR-9	LF	5 LF	\$ 5.07	\$ 5.07
24 LF OF 6" DR -18	LF	24 LF	\$ 5.07	\$ 121.68
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
6" GATE VALVE	Ea	1	\$ 600.00	\$ 600.00
6 X 2" TAPPING SADDLE	Ea	1	\$ 66.00	\$ 66.00
	Ea	1	\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
2" METER AND METER BOX W/ LID	Ea	1	\$ 625.00	\$ 625.00
5 1/4 VO WB67 HYD 3/6 OL L/A STJN		1	\$ 1,575.00	\$ 1,575.00
			\$ -	\$ -
Sevices (Size and Type)				
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
Total Water System Cost			\$	2,992.75



FINAL RELEASE OF LIEN

UTILITY IMPROVEMENTS

The undersigned lienor, in consideration of the sum (\$2,992.75 Note: the value entered should match the total value listed in the schedule of values) hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through (10/17/2022) to (D.R. HORTON, INC.), to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR (ENTRADA AMENITY CENTER)” (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 17 of Oct 2022

WITNESS:

Heather Crews

Witness Signature

Heather Crews

Print Witness Name

OWNER:

Donald Knight

Lienor's Signature

Donald KNIGHT

Print Lienor's Name

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 17 day of October, 2022, by Donald Knight as managing Member for ACS Utilities LLC.



Melissa Cribbs
Notary Public
My Commission Expires: 11/13/2023

Personally Known or Produced Identification
Type of Identification Produced



St. Johns County Utility Department
 Asset Management
 Schedule of Values

Project Name:	Exhibit "A" to the Final Release of Lien ENTRADA AMENITY CENTER
Contractor:	ACS UTILITIES LLC
Developer:	K&G CONTRUSTION

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
5 LF OF 2" DR-9	LF	5 LF	\$ 5.07	\$ 5.07
24 LF OF 6" DR -18	LF	24 LF	\$ 5.07	\$ 121.68
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
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	Ea	1	\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
2" METER AND METER BOX W/ LID	Ea	1	\$ 625.00	\$ 625.00
5 1/4 VO WB67 HYD 3/6 OL L/A STJN		1	\$ 1,575.00	\$ 1,575.00
			\$ -	\$ -
Sevices (Size and Type)				
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
			Total Water System Cost	\$ 2,992.75

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

Date: 09/06/2022
Project Title: ENTRADA AMENITY CENTER
FROM: ACS UTILITIES LLC
Contractor's Name
Address: 3907 EDGEWOOD DRIVE
JACKSONVILLE FL, 32254

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

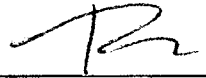
The undersigned warrants all its work performed in connection with the above project to be free from all defects in material and workmanship for a period of (1) year from the date of acceptance of the project by St. Johns County and agrees to remedy all defects arising with that period at its expense.

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:

RICHARD CRIBBS

Print Contractor's Name



Contractor's Signature

STATE OF

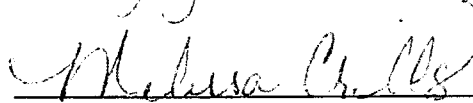
Florida

COUNTY OF

Duval

The foregoing instrument was acknowledged before me by means of physical presence or _____ on-line notarization, this 6 day of September, 2022, by

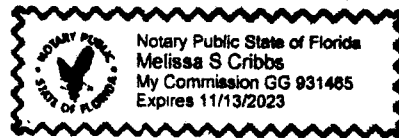
Richard Cribbs as Managing Member for
ACS Utilities, LLC



Notary Public

My Commission Expires: 11/13/2023

Personally Known or Produced Identification
Type of Identification Produced





**ST. JOHNS COUNTY
UTILITIES**

1205 State Road 16
St. Augustine, Florida 32084

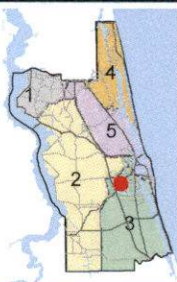
I N T E R O F F I C E M E M O R A N D U M

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
DATE: December 5, 2023
SUBJECT: Entrada Amenity Center (ASBULT 2022000075)

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 Entrada Amenity Center.

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.



2023 Aerial Imagery
Date: 12/15/2023

**Entrada
Amenity Center**

**Easement for
Utilities, Bill of Sale,
Final Release of
Lien and Warranty**



**Land Management
Systems**
(904) 209-1276

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.