

**RESOLUTION NO. 2024-16**

**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 WATER AND REUSE SYSTEMS TO SERVE BANNON LAKES MULTIFAMILY (PHASE 1) LOCATED OFF INTERNATIONAL GOLF PARKWAY.**

**RECITALS**

**WHEREAS**, ACL Bannan Lakes, LLC, a Florida limited liability company has executed and presented to the County an Easement for Utilities associated with the water and reuse systems to serve Bannan Lakes Multifamily (Phase 1), attached hereto as Exhibit “A” incorporated by reference and made a part hereof; and

**WHEREAS**, ACL Bannan Lakes, LLC, a Florida limited liability company, has executed and presented to the County a Bill of Sale with a Schedule of Values conveying all personal property associated with the water and reuse systems to serve Bannan Lakes Multifamily (Phase 1), attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

**WHEREAS**, DNS Contracting, 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 Bannan Lakes Multifamily (Phase 1), 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**

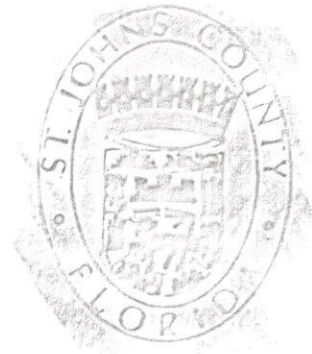
By: \_\_\_\_\_

  
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

Exhibit "A" to the Resolution Public Records of St. Johns County, FL  
Clerk number: 2023096755  
BK: 5870 PG: 1455  
12/13/2023 12:01 PM  
Recording \$52.50  
Doc. D \$0.70

### EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 13 day of July, 2023  
by ACL BANNON LAKES, LLC, with an address of 901 PONCE DE LEOPN BLVD.  
SUITE 700 CORAL GABLES, FL 33134, 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  
underground water meters 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 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. WATER SYSTEM - The Grantee shall maintain water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines located within the boundary of the Grantor's property excluding the water meters.

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:

[Signature]  
Witness Signature

Muñico Garcia  
Print Name

Alexander Sabe  
Witness Signature

Alexander Lage  
Print Name

By: [Signature]

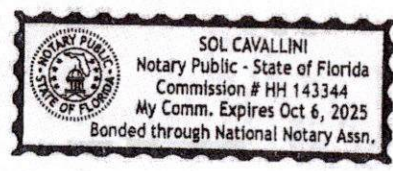
Print Name: Frank Guerra <sup>Manager</sup>

Its: Manager

STATE OF FLORIDA  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by means  
of  physical presence or  online notarization, this 13<sup>th</sup> day of

July, ~~2020~~, by ~~2023~~  
Frank Guerra as Manager  
for ACL Banner Lakes, LLC



[Signature]  
Notary Public  
My Commission Expires: 10/6/25

Personally Known or Produced Identification  
Type of Identification Produced



www.etmnc.com  
tel 904-642-8550 • fax 904-642-4165  
14775 Old St. Augustine Road • Jacksonville, Florida 32258

July 19, 2023

Work Order No. 23-287.00  
File No. 129F-23.00A

### Utility Easement

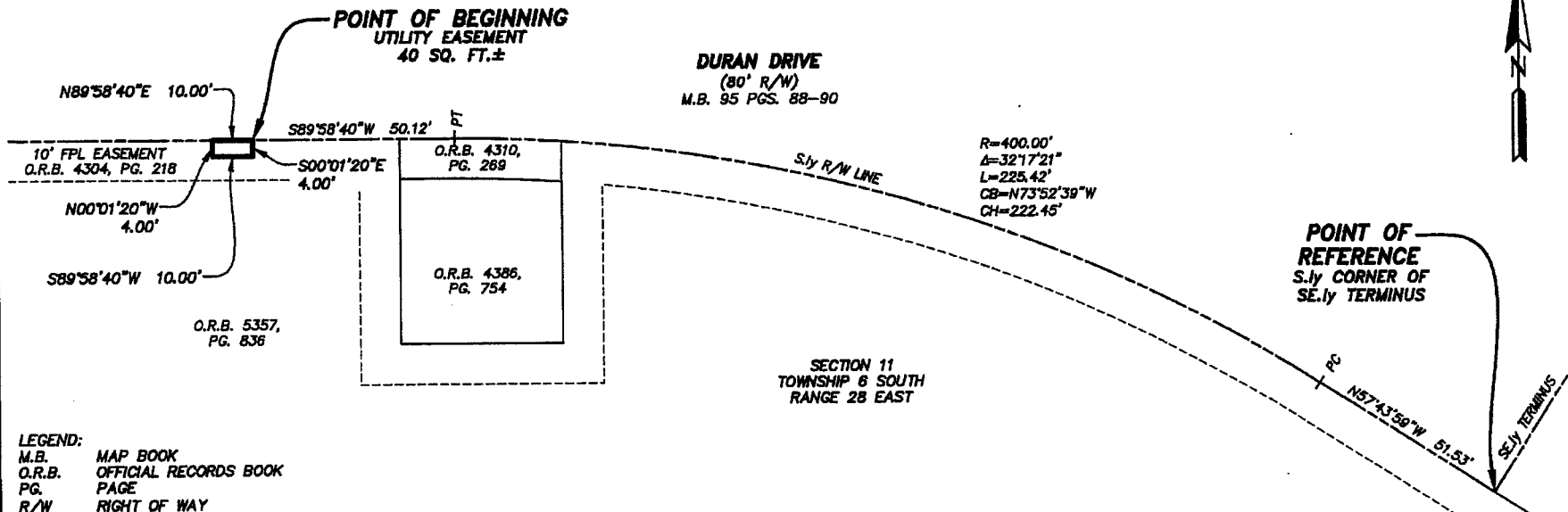
A portion of Section 11, Township 6 South, Range 28 East, Clay County, Florida, being a portion of those lands described and recorded in Official Records Book 5357, page 836, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Southerly corner of the Southeasterly terminus of Duran Drive, an 80 foot right of way, as depicted on the plat thereof recorded in Map Book 95, pages 88 through 90, of said Public Records; thence Westerly along the Southerly right of way line of said Duran Drive the following 3 courses: Course 1, thence North  $57^{\circ}43'59''$  West, 51.53 feet to the point of curvature of a curve concave Southerly having a radius of 400.00 feet; Course 2, thence Westerly, along the arc of said curve, through a central angle of  $32^{\circ}17'21''$ , an arc length of 225.42 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $73^{\circ}52'39''$  West, 222.45 feet; thence South  $89^{\circ}58'40''$  West, 50.12 feet to the Point of Beginning.

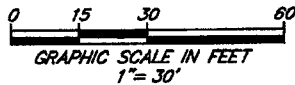
From said Point of Beginning, thence South  $00^{\circ}01'20''$  East, departing said Southerly right of way line, 4.00 feet; thence South  $89^{\circ}58'40''$  West, 10.00 feet; thence North  $00^{\circ}01'20''$  West, 4.00 feet to a point lying on said Southerly right of way line of Duran Drive; thence North  $89^{\circ}58'40''$  East, along said Southerly right of way line, 10.00 feet to the Point of Beginning.

Containing 40 square feet, more or less.

**SKETCH TO ACCOMPANY DESCRIPTION OF**  
**A PORTION OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF THOSE**  
**LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5357, PAGE 836, 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  
PC POINT OF CURVATURE  
PT POINT OF TANGENCY  
R RADIUS  
Δ CENTRAL ANGLE  
L ARC LENGTH  
CB CHORD BEARING  
CH CHORD DISTANCE  
SQ. FT. SQUARE FEET  
FPL FLORIDA POWER AND LIGHT COMPANY



**ETM**  
**Surveying & Mapping, Inc.**

**VISION • EXPERIENCE • RESULTS**  
14775 Old St. Augustine Road, Jacksonville, FL 32258  
Tel: (904) 642-8550 Fax: (904) 642-4185  
Certificate of Authorization No.: LB 3824

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.



Digital Signature  
by: Bob L.  
Pittman, P.S.M.

- GENERAL NOTES:**  
1) THIS IS NOT A SURVEY.  
2) BEARINGS BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF DURAN DRIVE AS BEING NORTH 57°43'59" WEST.

SCALE: 1"=30'  
DATE: JULY 19, 2023

**BOB L. PITTMAN**  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA PSM No. 4827

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

PROJECT: Bannan Lakes Multifamily

ACL Bannan Lakes, LLC 901 Ponce de Leon Blvd. Coral Gables, FL 33134

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 10 of August, 20 23.

WITNESS:

[Signature]  
Witness Signature

Daniel Hernandez  
Witness Print Name

OWNER:

[Signature]  
Owner Signature

Alberto Suarez  
Owner Print Name

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of  physical presence or \_\_\_\_\_ online notarization, this 10th day of August, 20 23, by ALBERTO J. SUAREZ as manager for ACL Bannan LAKES, LLC.

[Signature]  
Notary Public  
My Commission Expires: FEBRUARY 28, 2026

Personally Known or Produced Identification  
Type of Identification Produced

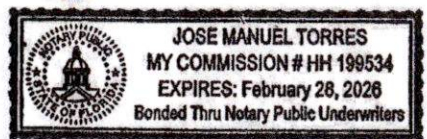






Exhibit "A" to the Bill of Sale  
**St. Johns County Utility Department**  
Asset Management  
Schedule of Values

Project Name: Bannon Lakes Multifamily  
Contractor: DNS Contracting, Inc.  
Developer: ACH Bannon Lakes, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
8" DR-18	LF	20	\$ 43.85	\$ 877.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Water Valves (Size and Type)</b>				
10"X8" Tapping Sleeve & Valve	Ea	1	\$ 8,002.65	\$ 8,002.65
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Hydrants Assembly (Size and Type)</b>				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
3" Water Meter	Ea	1	\$ 11,520.35	\$ 11,520.35
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
			<b>Total Water System Cost</b>	<b>\$ 20,400.00</b>



**St. Johns County Utility Department**  
Asset Management  
Schedule of Values

Project Name: Bannon Lakes Multifamily  
Contractor: DNS Contracting, Inc.  
Developer: ACL Bannon Lakes, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Reuse Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Reuse Valves (Size and Type)</b>				
2" Gate Valve	Ea	1	\$ 2,138.52	\$ 2,138.52
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Sevices (Size and Type)</b>				
2" Meter	Ea	1	\$ 2,369.18	\$ 2,369.18
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Total Reuse System Cost				\$ 4,507.70





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

The undersigned lienor, in consideration of the sum

\$24,907.70

hereby waives and releases its lien and right to claim a lien for Water, Sewer, and Reclaimed Water labor, services or materials furnished through

2023/09/07 to ACL Bannan Lakes LLC  
Date (Developer's/Owner's Name)

to the following described property:

"SEE EXHIBIT A SCHEDULE OF VALUES FOR

Bannan Lakes Multifamily

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 7th day of September, 2023.

WITNESS:

[Signature]

Witness Signature

Chris Davis  
Print Witness Name

CONTRACTOR:

[Signature]

Lienor's Signature

David Sundstrom  
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 7th day of September, 2023, by

David Sundstrom as President for  
DNS Contracting LLC

Personally Known or Produced Identification Type  
Identification Produced



[Signature]  
Notary Public  
My Commission Expires: 7/21/25



Exhibit "A" to the Final Release of Lien  
**St. Johns County Utility Department**  
Asset Management  
Schedule of Values

Project Name: Bannon Lakes Multifamily  
Contractor: DNS Contracting, Inc.  
Developer: ACH Bannon Lakes, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
8" DR-18	LF	20	\$ 43.85	\$ 877.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Water Valves (Size and Type)</b>				
10"X8" Tapping Sleeve & Valve	Ea	1	\$ 8,002.65	\$ 8,002.65
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Hydrants Assembly (Size and Type)</b>				
	Ea		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
3" Water Meter	Ea	1	\$ 11,520.35	\$ 11,520.35
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
			Total Water System Cost	\$ 20,400.00





**St. Johns County Utility Department**  
Asset Management  
Schedule of Values

Project Name: Bannon Lakes Multifamily  
Contractor: DNS Contracting, Inc.  
Developer: ACL Bannon Lakes, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Reuse Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Reuse Valves (Size and Type)</b>				
2" Gate Valve	Ea	1	\$ 2,138.52	\$ 2,138.52
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Sevices (Size and Type)</b>				
2" Meter	Ea	1	\$ 2,369.18	\$ 2,369.18
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Total Reuse System Cost</b>				<b>\$ 4,507.70</b>

Exhibit "D" to the Resolution  
ST. JOHNS COUNTY UTILITY DEPARTMENT  
3E - CLOSEOUT - WARRANTY

Date: 2023/09/07  
Project Title: Bannon Lakes Multifamily  
FROM: DNS Contracting, LLC  
Contractor's Name  
Address: 1517 Raye Road  
Jacksonville, FL 32218

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:**


David Sundstrom

Print Contractor's Name

  
Contractor's Signature

STATE OF Florida  
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or \_\_\_\_\_  
on-line notarization, this 7th day of September, 2023, by  
David Sundstrom as President for  
DNS Contracting LLC

  
Notary Public

My Commission Expires: 7/21/25

**Personally Known** or Produced Identification  
Type of Identification Produced







**ST. JOHNS COUNTY  
UTILITIES**

1205 State Road 16  
St. Augustine, Florida 32084

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**INTEROFFICE MEMORANDUM**

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**TO:** Debbie Taylor, Real Estate Manager  
**FROM:** Melissa Caraway, Utility Review Coordinator  
**DATE:** December 5, 2023  
**SUBJECT:** Bannon Lakes Multifamily (Phase 1) (ASBULT 2023000140)

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 Bannon Lakes Multifamily (Phase 1).

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.





Subject Property



2023 Aerial Imagery

Date: 12/18/2023

**Bannan Lakes  
Multifamily (Phase 1)**

**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 herein.