

RESOLUTION NO. 2024-162

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 SEWER SYSTEMS TO SERVE ST. AUGUSTINE LAKES PHASE 2A LOCATED OFF HOLMES BOULEVARD.

RECITALS

WHEREAS, St. Augustine Lakes Community Development District has executed and presented to the County an Easement for Utilities associated with the water and sewer systems to serve St. Augustine Lakes Phase 2A, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, St. Augustine Lakes Community Development District 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 sewer systems to serve St. Augustine Lakes Phase 2A, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

WHEREAS, Petticoat-Schmidt Civil Contractors, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at St. Augustine Lakes Phase 2A, 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. The Clerk of the Circuit Court is instructed to record the original Easement for Utilities and Final Release of Lien and file the Bill of Sale and Warranty in the public records of St. Johns County, Florida.

Section 4. 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.

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

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

Rendition Date APR 17 2024

By: 

Sarah Arnold, Chair

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

By: Crystal Smith
Deputy Clerk



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 12th day of SEPTEMBER, 2023 by **ST. AUGUSTINE LAKES COMMUNITY DEVELOPMENT DISTRICT**, with an address of 475 West Town Place, Suite 114 World Golf Village St. Augustine, FL 32092, 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 distribution system, gravity sewer collection system, & sewer force mains and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water and sewer utility services (hereinafter referred to as "Utility Lines and Associated Equipment") 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. The location of the ingress and egress area to the Easement area has been mutually agreed upon by the Grantor and Grantee. **As a result, the ingress and egress area is noted on the attached, and incorporated Exhibit B (Ingress/Egress Area).** 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. (a) **WATER SYSTEM** - The Grantee shall maintain all water mains and other elements of the water distribution system up to and including the water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines between the water meter and the improvements served by the utility system.

(b) **SEWER FORCE MAINS** - Grantee, by acceptance of this Easement, hereby agrees to maintain the sewer force mains located within the Easement Area.

(c) **GRAVITY SEWER SYSTEM** - Grantee, by acceptance of this Easement, hereby agrees to maintain sewer force mains and gravity sewer lines located within the Easement Area. The Grantee's maintenance of gravity sewer lines shall extend "manhole to manhole", but shall not include a responsibility for maintenance of sewer service laterals; The Grantor or Grantor's successors and assigns shall be responsible for the maintenance of such sewer service laterals. Grantor hereby specifically indemnifies and holds Grantee harmless from and against costs and expenses associated with installation, maintenance, repair or replacement of sewer service laterals.

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:

Shirley Jenie
Witness
475 West Town Place, Suite 114
St. Augustine, FL 32092

By: Zenzi Rogers
Its: CHAIR PERSON

Benny FEINER
Print Name
[Signature]
Witness

Joe Panchard
Print Name
475 West Town Place, Suite 114
St. Augustine, FL 32092

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12th day of SEPTEMBER, 2023, by ZENZI ROGERS as CHAIR PERSON for ST. AUGUSTINE LAKES CDD.

[Signature]
Notary Public
My Commission Expires: 2/6/2025

Personally Known or Produced Identification
Type of Identification Produced



EXHIBIT "A" to the Easement

EASEMENT AREA

**Easement Area shall be along Eustis Point, Arcadian Lakes Blvd and Lake Sinclair Street
as described in the St. Augustine Lakes Phase 2A Plat as recorded in Map Book 120,
Pages 29 - 33 of the St. Johns County Public Records**

EXHIBIT "B" to the Easement

INGRESS/EGRESS AREA

**Easement Area shall be along Eustis Point, Arcadian Lakes Blvd and Lake Sinclair Street
as described in the St. Augustine Lakes Phase 2A Plat as recorded in Map Book 120,
Pages 29 - 33 of the St. Johns County Public Records**

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

PROJECT: St. Augustine Lakes Phase 2A

St. Augustine Lakes CDD C/O Government Management Services, LLC, 475 West Town Place, Suite 114 World Golf Village St. Augustine, Florida 32092

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 12th of SEPTEMBER, 2023.

WITNESS:

[Signature]
Witness Signature

Mishy Malielki
Witness Print Name

OWNER:

[Signature]
Owner Signature

RENZI ROGERS
Owner Print Name

STATE OF FLORIDA
COUNTY OF DUNAL

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 12th day of SEPTEMBER, 2023, by

RENZI ROGERS as CHAIR PERSON for ST. AUGUSTINE LAKES CDD.

[Signature]
Notary Public
My Commission Expires: 2/6/2025

Personally Known or Produced Identification
Type of Identification Produced



Gina Melton
Notary Public
State of Florida
Comm# HH085452
Expires 2/6/2025



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name: St Augustine Lakes Phase 2A
 Contractor: Petticoat-Schmitt Civil Contractors
 Developer: Lennar Homes

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
16" DR11 HDPE	LF	145	\$ 287.00	\$ 41,615.00
12" DR18 C900	LF	1000	\$ 160.00	\$ 160,000.00
8" DR18 C900	LF	600	\$ 88.00	\$ 52,800.00
	LF	170	\$ 18.50	\$ 3,145.00
Water Valves (Size and Type)				
12" Gate Valve Open Left	Ea	2	\$ 5,500.00	\$ 11,000.00
8" Gate Valve Open Left	Ea	2	\$ 3,200.00	\$ 6,400.00
6" Gate Valve Open Left	EA	3	\$ 2,200.00	\$ 6,600.00
Hydrants Assembly (Size and Type)				
5-1/4 VO WB67 - 3'6" Open Left	Ea	3	\$ 6,000.00	\$ 18,000.00
			\$ -	\$ -
			\$ -	\$ -
Sevices (Size and Type)				
2" Double Long	Ea	12	\$ 2,350.00	\$ 28,200.00
1" Single Long	Ea	1	\$ 1,175.00	\$ 1,175.00
1" Single Short	Ea	22	\$ 1,175.00	\$ 25,850.00
			\$ -	\$ -
Total Water System Cost				\$ 354,785.00



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name: St Augustine Lakes Phase 2A
 Contractor: Petticoat Schmitt Civil Contractors
 Developer: Lennar Homes

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Force Mains (Size, Type & Pipe Class)				
6" DR18 PVC	LF	1100	\$ 66.00	\$ 72,600.00
				\$ -
				\$ -
Sewer Valves (Size and Type)				
6" Gate Valve Assembly Open Left	EA	1	\$ 2,200.00	\$ 2,200.00
Gravity Mains (Size, Type & Pipe Class)				
8" SDR 26 PVC	LF	1581	\$ 114.00	\$ 180,234.00
				\$ -
Laterals (Size and Type)				
6" SDR26 PVC	EA	46	\$ 2,100.00	\$ 96,600.00
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
Manholes (Size and Type)				
4-6 foot deep	EA	3	\$ 8,900.00	\$ 26,700.00
6-8 foot deep	EA	5	\$ 8,900.00	\$ 44,500.00
8-10 foot deep	EA	1	\$ 21,000.00	\$ 21,000.00
Lift Station			\$ -	\$ -
Total Sewer System Cost				\$ 443,834.00



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

The undersigned lienor, in consideration of the sum
\$798,619.00

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

September 6, 2023 to Lennar Homes, LLC
Date (Developer's/Owner's Name)

to the following described property:

"SEE EXHIBIT A SCHEDULE OF VALUES FOR
St. Augustine Lakes Phase 2A

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 September 6th day of 2023

WITNESS:

[Signature]
Witness Signature
RJ Raymond
Print Witness Name

CONTRACTOR:

[Signature]
Lienor's Signature
Jeff Rumer, Vice President
Print Lienor's Name

STATE OF FL

COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online
notarization, this 6th day of September, 2023, by
Jeff Rumer as Executive VP of Operations for
Petticoat-Schmidt Civil Contractors, Inc.

Jodi Marie Marson
Notary Public
My Commission Expires: 06/01/2027

Personally Known or Produced Identification Produced



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name: St Augustine Lakes Phase 2A
 Contractor: Petticoat-Schmitt Civil Contractors
 Developer: Lennar Homes

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
16" DR11 HDPE	LF	145	\$ 287.00	\$ 41,615.00
12" DR18 C900	LF	1000	\$ 160.00	\$ 160,000.00
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	LF	170	\$ 18.50	\$ 3,145.00
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12" Gate Valve Open Left	Ea	2	\$ 5,500.00	\$ 11,000.00
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5-1/4 VO WB67 - 3'6" Open Left	Ea	3	\$ 6,000.00	\$ 18,000.00
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			\$ -	\$ -
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2" Double Long	Ea	12	\$ 2,350.00	\$ 28,200.00
1" Single Long	Ea	1	\$ 1,175.00	\$ 1,175.00
1" Single Short	Ea	22	\$ 1,175.00	\$ 25,850.00
			\$ -	\$ -
Total Water System Cost				\$ 354,785.00



St. Johns County Utility Department
Asset Management
Schedule of Values

Project Name:	St Augustine Lakes Phase 2A
Contractor:	Petticoat Schmitt Civil Contractors
Developer:	Lennar Homes

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Force Mains (Size, Type & Pipe Class)				
6" DR18 PVC	LF	1100	\$ 66.00	\$ 72,600.00
				\$ -
				\$ -
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6" Gate Valve Assembly Open Left	EA	1	\$ 2,200.00	\$ 2,200.00
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				\$ -
Laterals (Size and Type)				
6" SDR26 PVC	EA	46	\$ 2,100.00	\$ 96,600.00
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
Manholes (Size and Type)				
4-6 foot deep	EA	3	\$ 8,900.00	\$ 26,700.00
6-8 foot deep	EA	5	\$ 8,900.00	\$ 44,500.00
8-10 foot deep	EA	1	\$ 21,000.00	\$ 21,000.00
Lift Station			\$ -	\$ -
			Total Sewer System Cost	\$ 443,834.00

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

Date: 6/02/2023
Project Title: St. Augustine Lakes Phase 2A
FROM: Petticoat-Schmitt Civil Contractors, Inc
Contractor's Name
Address: 6380 Philips Hwy
Jacksonville, Fl 32216

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

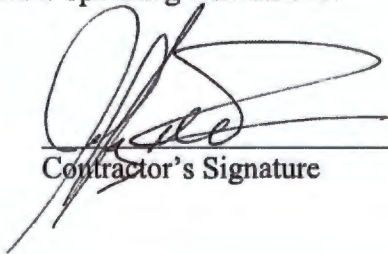
The undersigned warrants all its work performed in connection with the above project to be free from all defects in material and workmanship for a period of (1) year from the date of acceptance of the project by St. Johns County and agrees to remedy all defects arising with that period at its expense.

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:

Jeff Rumer, Vice President

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 6th day of September, 2023, by

Jeff Rumer as Executive VP of Operations for
Petticoat-Schmitt Civil Contractors, Inc.



Jodi Marson
Notary Public

My Commission Expires: 06/01/2027

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: January 23, 2024
SUBJECT: St. Augustine Lakes Phase 2A (ASBUILT2023000161)

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 St. Augustine Lakes Phase 2A.

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



2023 Aerial Imagery
Date: 3/20/2024

**St. Augustine Lakes
Phase 2A**

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



**Land Management
Systems**
(904) 209-0790

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.