

RESOLUTION NO. 2024-274

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR PROPERTY TO BE USED FOR A UTILITY SITE LOCATED ON ST. JOHNS PARKWAY FROM WHITE'S FORD TIMBER, LLC., TO ST. JOHNS COUNTY, AND THE LETTER AGREEMENT CONFIRMING UTILITY CREDITS FOR PARCEL 19B AS REQUIRED IN THE AMENDED AND RESTATED UTILITY SERVICE AND REFUND AGREEMENT.

RECITALS

WHEREAS, White's Ford Timber, LLC, a Florida limited liability company, has presented to St. Johns County a Deed of Dedication for a Utility site, attached as Exhibit "A," incorporated by reference and made a part hereof, conveying a 2.59 acre parcel for construction and operation of potable water and/or reclaimed water utility facilities; and

WHEREAS, the Letter Agreement Confirming Utility Credits for Parcel 19B Site, attached as Exhibit "B", incorporated by reference and made a part hereof, stating the entitled reimbursement for the value of Parcel 19B; and

WHEREAS, this will satisfy the entitlement requirements in the Amended and Restated Utility Service and Refund Agreement adopted November 11, 2016 by Resolution 2016-335, as amended by the First Amendment thereof dated September 12, 2023 adopted by Resolution 2023-321; and

WHEREAS, it is in the best interest of the County to accept the Deed of Dedication 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 Board of County Commissioners hereby accepts the Deed of Dedication and the Letter Agreement Confirming Utility Credits for Parcel 19B Site for the purposes mentioned above.

Section 3. To the extent that there are typographical 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 is instructed to record the original Deed of Dedication in the Public Records of St. Johns County, Florida and file the Letter Agreement Confirming Utility Credits for Parcel 19B Site in the Clerk's Office.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 16th day of July, 2024.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Sarah Arnold, Chair

Rendition Date JUL 16 2024

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

By: Crystal Smith Deputy Clerk



EXHIBIT "A" TO RESOLUTION

This document prepared by and return to:

Ellen Avery-Smith, Esq.
Rogers Towers, P.A.
100 Whetstone Place, Suite 200
St. Augustine, Florida 32086

DEED OF DEDICATION

THIS INDENTURE, made this ____ day of _____, 2024, between **WHITE’S FORD TIMBER, LLC**, a Florida limited liability company, whose address is 50 Silver Forest Drive, Suite 200, St. Augustine, Florida 32092 (“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 acceptance of this Deed of Dedication by Grantee, Grantor does hereby give, grant, dedicate and convey to Grantee, its successors and assigns, the following described land, situate in St. Johns County, Florida, to wit:

PROPERTY AS DESCRIBED ON **EXHIBIT “A”** ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF (the “Property”).

TO HAVE AND HOLD the same unto Grantee, its successors and assigns forever, in fee simple for construction and operation of a public fire/rescue, law enforcement and other services building.

RESERVING to Grantor, its successors and assigns, for the benefit of Grantor’s adjacent land a permanent, non-exclusive easement for access over, under and across the portion of the Property described and depicted on **Exhibit “B”** attached hereto and by this reference made a part hereof, which easement may be relocated by Grantee within the Property provided that the relocated easement shall provide reasonable vehicular and pedestrian access to the parcel benefitted by the easement and such relocation of the easement and any roadway or other improvements located therein is done at the sole cost and expense of Grantee.

RESERVING to Grantor, its successors and assigns, for the benefit of Grantor’s adjacent

land permanent, non-exclusive easements for utilities over, under and across the portion of the Property described and depicted on Exhibit “C” attached hereto and by this reference made a part hereof, which easement may be relocated by Grantee within the Property provided that the relocated easement shall provide reasonable utility service to the parcel benefitted by the easement and such relocation of the easement and any utility lines, equipment or other improvements located therein is done at the sole cost and expense of Grantee.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to convey the Property, that Grantor hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, its successors and assigns, and not otherwise; and that the Property is free of all encumbrances, except taxes accruing subsequent to December 31, 2023 and those easements, restrictions and reservations of record, if any, but this instrument shall not operate to reimpose same.

[SIGNATURE ON FOLLOWING PAGE]

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

WITNESSES:

Signed, sealed and delivered in the presence of:

WHITE'S FORD TIMBER, LLC, a Florida limited liability company

By: Hutson Management Inc., a Florida corporation
Its: Manager

Print Name: _____

By: _____

Address: _____

John G. Metcalf
Vice President

Print Name: _____

Address: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of *(check one)* physical presence or online notarization, this ____ day of _____, 2024, by John G. Metcalf, as Vice President of Hutson Management, Inc., a Florida corporation, as Manager of White's Ford Timber, LLC, a Florida limited liability company, on behalf of the company, who is *(check one)* is personally known to me or has produced a valid driver's license as identification.

Print Name: _____
Notary Public
My Commission Expires: _____
Commission Number: _____

EXHIBIT "A"

Legal Description of the Property

A portion of Section 5, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Beginning, commence at the Southerly most corner of Hartford, a plat recorded in Map Book 104, pages 24 through 41, of the Public Records of said county; thence North $59^{\circ}39'10''$ East, along the Southeasterly line of said Hartford, 413.77 feet; thence South $26^{\circ}16'58''$ East, departing said Southeasterly line, 524.93 feet to a point lying on the Northerly line of Conservation Easement 4 (WP 141) as described and recorded in Official Records Book 4304, page 698, of said Public Records; thence South $69^{\circ}38'54''$ West, along said Northerly line, 218.20 feet; thence South $68^{\circ}04'17''$ West, continuing along said Northerly line and its Westerly prolongation, 196.66 feet to a point lying on the Easterly right of way line of St. Johns Parkway (County Road No. 2209), a variable width right of way as presently established; thence Northwesterly, along said Easterly right of way line and along the arc of a non-tangent curve concave Southwesterly having a radius of 2925.00 feet, through a central angle of $08^{\circ}58'59''$, an arc length of 458.59 feet to the Point of Beginning, said arc being subtended by a chord bearing and distance of North $26^{\circ}14'00''$ West, 458.12 feet.

EXHIBIT "B"

Access Easement

A 25-FEET WIDE EASEMENT STRIP OF LAND FOR THE PURPOSES OF INGRESS & EGRESS LYING IN SECTION 5, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH CORNER OF TRACT "G", HARTFORD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 104, PAGES 24-41 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE N59° 39' 10"E ALONG THE SOUTHERLY LINE OF TRACT "G" AND ALONG THE SOUTHERLY LINES OF LOTS 76, 75, 74, 73 AND 72 OF SAID HARTFORD SUBDIVISION FOR 413.77 FEET; THENCE S26° 16' 58"E FOR 434.93 FEET; THENCE CONTINUE S26° 16' 58"E FOR 90.00 FEET; THENCE N69° 38' 54"E FOR 30.89 FEET; THENCE N53° 01' 34"E FOR 26.27 FEET; THENCE N41° 06' 44"E FOR 25.42 FEET; THENCE N26° 16' 58"W FOR 78.55 FEET; THENCE S63° 43' 02"W FOR 49.50 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND: THENCE CONTINUE S63° 43' 02"W FOR 25.00 FEET; THENCE N26° 16' 58"W FOR 25.36 FEET; THENCE S63° 11' 42"W FOR 234.54 FEET, TO A POINT OF CURVATURE; THENCE NORTHWESTERLY FOR 117.88 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 75.00 FEET, CENTRAL ANGLE OF 90° 03' 04", SUBTENDED BY A CHORD HAVING A LENGTH OF 106.11 FEET AND BEARING N71° 46' 46"W, TO A POINT OF TANGENCY; THENCE N26° 45' 14"W FOR 30.39 FEET, TO A POINT OF CURVATURE; THENCE NORTHWESTERLY FOR 78.52 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 50.00 FEET, CENTRAL ANGLE OF 89° 58' 57", SUBTENDED BY A CHORD HAVING A LENGTH OF 70.70 FEET AND BEARING N71° 44' 42"W, TO A POINT OF TANGENCY; THENCE S63° 15' 49"W FOR 48.58 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ST. JOHNS PARKWAY (A 250' WIDE RIGHT-OF-WAY PER PLAT BOOK 97, PAGES 23-43 OF SAID PUBLIC RECORDS) AND A NON-TANGENT POINT ON A CURVE; THENCE NORTHERLY FOR 25.00 FEET ALONG EAST RIGHT-OF-WAY LINE AND THE ARC OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 2925.00 FEET, CENTRAL ANGLE OF 00° 29' 23", SUBTENDED BY A CHORD HAVING A LENGTH OF 25.00 FEET AND BEARING N26° 29' 29"W; THENCE N63° 15' 49"E FOR 48.48 FEET, TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY FOR 117.79 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 75.00 FEET, CENTRAL ANGLE OF 89° 58' 57", SUBTENDED BY A CHORD HAVING A LENGTH OF 106.05 FEET AND BEARING S71° 44' 42"E, TO A POINT OF TANGENCY; THENCE S26° 45' 14"E FOR 30.39 FEET, TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY FOR 78.58 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 50.00 FEET, CENTRAL ANGLE OF 90° 03' 04", SUBTENDED BY A CHORD HAVING A LENGTH OF 70.74 FEET AND BEARING S71° 46' 46"E, TO A POINT OF TANGENCY; THENCE

N63° 11' 42"E FOR 234.54 FEET; THENCE N26° 16' 58"W FOR 54.78 FEET; THENCE N63° 14' 46"E FOR 25.00 FEET; THENCE S26° 16' 58"E FOR 105.12 FEET TO THE POINT OF BEGINNING.

EXHIBIT "C"

Utility Easement

10' WIDE UTILITY EASEMENT

A 10-FEET WIDE EASEMENT STRIP OF LAND FOR THE PURPOSES OF UTILITIES LYING IN SECTION 5, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND LYING 10.00 FEET NORTHERLY OF THE FOLLOWING DESCRIBED EASEMENT SIDELINE:

COMMENCE AT THE SOUTH CORNER OF TRACT "G", HARTFORD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 104, PAGES 24-41 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE N59° 39' 10"E ALONG THE SOUTHERLY LINE OF TRACT "G" AND ALONG THE SOUTHERLY LINES OF LOTS 76, 75, 74, 73 AND 72 OF SAID HARTFORD SUBDIVISION FOR 413.77 FEET; THENCE S26° 16' 58"E FOR 434.93 FEET; THENCE CONTINUE S26° 16' 58"E FOR 90.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT SIDELINE; THENCE S69° 38' 54"W FOR 218.20 FEET; THENCE S68° 04' 17"W FOR 196.66 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF ST. JOHNS PARKWAY (A 250' WIDE RIGHT-OF-WAY PER PLAT BOOK 97, PAGES 23-43 OF SAID PUBLIC RECORDS) AND THE POINT OF TERMINUS. THE SIDELINES OF SAID EASEMENT TO BE SHORTENED AND PROLONGED TO MEET AT ANGLE POINTS, RIGHT-OF-WAY LINES AND LEASE PARCEL LINES.

AND:

Reserving to Grantor, its successors and assigns, 25-foot-wide easements for utilities on the portions of the Property adjacent to and parallel with the northerly and southerly boundaries of the Property.

EXHIBIT "B" TO RESOLUTION

June 21, 2024

Cody Hutson
White's Ford Timber, LLC
50 Silver Forest Drive, Suite 200
St. Augustine, Florida 32092

Re: Letter Agreement Confirming Utility Credits for Parcel 19B Site

Dear Mr. Hutson:

St. Johns County hereby accepts the deed from White's Ford Timber, LLC ("White's Ford") for the 2.59-acre site described on the attached Exhibit A ("Parcel 19B") for construction and operation of potable water and/or reclaimed water utility facilities by the County and agrees as follows:

1. The value of Parcel 19B is agreed to be \$1,102,729.25;.
2. White's Ford shall be entitled to reimbursement for the value of Parcel 19B from 20 percent of 2/3rds of the applicable Unit Connection Fees collected from Area One, in accordance with the terms of that certain Amended and Restated Utility Service and Refund Agreement adopted November 11, 2016 by Resolution 2016-335, as amended by the First Amendment thereof dated September 12, 2023 adopted by Resolution 2023-321; and
3. The applicable unit connection fees shall be potable water connection fees until and unless the County constructs reclaimed water facilities on Parcel 19B.

St. Johns County appreciates White's Ford's cooperation in this matter.

Sincerely yours,

Agreed to by White's Ford Timber, LLC, a Florida limited liability company, this ____ day of _____, 2024.

By: _____
Print Name: _____
Title: _____

EXHIBIT "A"

Legal Description of Parcel 19B

A portion of Section 5, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the Southwest corner of Section 32, Township 5 South, Range 28 East; thence North $88^{\circ}41'52''$ East, along the Southerly line of said Section 32, a distance of 2079.63 feet; thence South $01^{\circ}18'08''$ East, departing said Southerly line, 198.29 feet to a point lying on the Easterly right of way line of St. Johns Parkway (County Road No. 2209), a variable width right of way as presently established; thence Southerly along said Easterly right of way line the following 8 courses: Course 1, thence South $47^{\circ}54'55''$ East, 268.89 feet to the point of curvature of a curve concave Southwesterly having a radius of 2925.00 feet; Course 2, thence Southeasterly along the arc of said curve, through a central angle of $06^{\circ}19'24''$, an arc length of 322.81 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South $44^{\circ}45'14''$ East, 322.64 feet; Course 3, thence South $85^{\circ}50'09''$ East, along a non-tangent line, 35.67 feet; Course 4, thence North $49^{\circ}40'52''$ East, 91.25 feet; Course 5, thence South $40^{\circ}19'08''$ East, 80.00 feet; Course 6, thence South $49^{\circ}40'52''$ West, 91.25; Course 7, thence South $05^{\circ}11'53''$ West, 35.67 feet to a point on a non-tangent curve concave Southwesterly having a radius of 2925.00 feet; Course 8, thence Southeasterly along the arc of said curve, through a central angle of $08^{\circ}19'14''$, an arc length of 424.78 feet to the Southerly most corner of Hartford (Silverleaf – Parcel 17C), a plat recorded in Map Book 104, pages 24 through 41, of the Public Records of said county, said arc being subtended by a chord bearing and distance of South $34^{\circ}53'07''$ East, 424.40 feet; thence North $59^{\circ}39'10''$ East, departing said Easterly right of way line, along the Southeasterly line of said Hartford (Silverleaf – Parcel 17C) and along a non-tangent line, 413.77 feet to the Point of Beginning.

From said Point of Beginning, thence continue North $59^{\circ}39'10''$ East, along said Southeasterly line of Hartford (Silverleaf – Parcel 17C), a distance of 255.04 feet to a point lying on the Southwesterly line of Conservation Easement 6 (WP 136), as described and recorded in Official Records Book 4303, page 1768, of said Public Records; thence Southerly along said Southwesterly line the following 5 courses: Course 1, thence South $01^{\circ}14'51''$ East, departing said Southeasterly line, 28.94 feet; Course 2, thence South $10^{\circ}07'49''$ East, 102.63 feet; Course 3, thence South $40^{\circ}08'45''$ East, 165.78 feet; Course 4, thence South $33^{\circ}36'45''$ East, 73.85 feet; Course 5, thence South $12^{\circ}59'51''$ East, 63.09 feet; thence South $05^{\circ}10'45''$ East, departing said Southwesterly line, 42.28 feet to a point lying on the Northerly line of Conservation Easement 4 (WP 141), as described and recorded in Official Records Book 4304, page 698, of said Public Records; thence Southwesterly along said Northerly line the following 4 courses: Course 1, thence South $39^{\circ}33'59''$ West, 113.91 feet; Course 2, thence South $44^{\circ}08'09''$ West, 40.64 feet; Course 3, thence South $06^{\circ}10'27''$ West, 11.27 feet; Course 4, thence South $41^{\circ}06'44''$ West, 5.13 feet; thence North $26^{\circ}16'58''$ West, departing said Northerly line, 78.55 feet; thence South $63^{\circ}43'02''$ West, 80.00 feet; thence North $26^{\circ}16'58''$ West, 434.93 feet to the Point of Beginning.

Containing 2.59 acres, more or less.



Approximate location
Utility site



2023 Aerial Imagery

Date: 6/21/2024

Silverleaf

Utility Site
2.59 acres



Land Management
Systems

(904) 209-0796

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.