

RESOLUTION NO. 2024-276

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES, A BILL OF SALE AND FINAL RELEASE OF LIEN ASSOCIATED WITH THE SEWER SYSTEM TO SERVE 54 NORTH ROSCOE FKA PALM VALLEY GARDENS SUB. LOCATED OFF NORTH ROSCOE BOULEVARD.

RECITALS

WHEREAS, 54 North Roscoe Neighborhood Association, Inc., a Florida not-for-profit corporation, has executed and presented to the County an Easement for Utilities associated with the sewer system to serve 54 North Roscoe fka Palm Valley Garden Sub., attached hereto as Exhibit “A”, incorporated by reference and made a part hereof; and

WHEREAS, Palm Valley Gardens Developers, 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 sewer system to serve 54 North Roscoe fka Palm Valley Gardens Sub., attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

WHEREAS, Jennifer Holdeman, CEO of Jax Dirtworks, Inc., a Florida corporation, has executed and presented to the County a Final Release of Lien for work performed at 54 North Roscoe fka Palm Valley Gardens Sub., attached hereto as Exhibit “C”, 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 “D” 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 and Final Release of Lien 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 Easement for Utilities and Final Release of Lien and file the Bill of Sale in the Public Records of St. Johns County, Florida.

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

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

Rendition Date JUL 16 2024

By: _____
Sarah Arnold, Chair

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

Crystal Smith
Deputy Clerk



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 11th day of June, 2024, by **54 NORTH ROSCOE NEIGHBORHOOD ASSOCIATION, INC.** a Florida corporation, not-for-profit, whose address is 5000 Sawgrass Village Circle, Suite 3, Ponte Vedra Beach, Florida 32082, 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, Florida 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 sewer force mains, and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground 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. This easement is for 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 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) SEWER FORCE MAINS - Grantee, by acceptance of this Easement, hereby agrees to maintain the sewer force mains located within the Easement Area.

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

54 North Roscoe Neighborhood Association, Inc., a Florida not-for-profit corporation

[Signature]
Witness
JENNIFER V PRADO
Print Name

By: [Signature]
Elizabeth Parham
Print Name
Its: Secretary

355 19th St Atlantic Beach FL 32233
Witness Address REQUIRED BUSINESS OR PERSONAL

[Signature]
Witness
Kristen Cain
Print Name

8680 Baymeadows Rd E Apt 831 Jacksonville FL 32256

Witness Address REQUIRED BUSINESS OR PERSONAL

STATE OF FLORIDA
COUNTY OF 1

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18 day of June, 2024, by Elizabeth Parham as Secretary for 54 North Roscoe Neighborhood Association, Inc., a Florida not-for-profit corporation

KRISTEN CAIN
Notary Public
State of Florida
Comm# FF405707
Expires 6/5/2027
My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced

EXHIBIT "A" to the Easement

EASEMENT AREA

That certain right-of-way known as "Valley Garden Road", as shown on the plat of 54 North Roscoe, recorded in Map Book 91, pages 21 through 22, of the public records of St. Johns County, Florida.



BILL OF SALE
UTILITY IMPROVEMENTS
for

Palm Valley Gardens

Palm Valley Gardens Developers, LLC., 1102 A1A North, Suite 102, Ponte Vedra Beach, FL 32082, (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 PALM VALLEY GARDENS."

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 28 of SEPTEMBER 2021

WITNESS:

[Signature]
Witness Signature

Lizelle Klepper
Print Witness Name

OWNER:

[Signature]
Owner's Signature

CHRIS W. WYNE
Print Owner's Name

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 28 day of September, 2021, by Christopher Wyne who is personally known to me or has produced Divers license as identification.

Heidi Dombek
Notary Public
State of Florida
Comm# HM171297
Expires 8/30/2025

Exhibit "A"



St. Johns County Utility Department

Asset Mangement

Schedule of Values

Project Name: 54 North Roscoe, formerly known as Palm Valley Gardens Subdivision

Contractor: Jax Dirtworks Inc.

Developer: _____

Item	Unit	Quantity	Unit Cost	Total Cost
Force Mains (Size, Type & Pipe Class)				
2" SDR-19	Linear Feet	605	\$ 12.65	\$ 7,653.25
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
Sewer Valves (Size and Type)				
2" Check Valves	Each	8	\$ 1,108.14	\$ 8,865.12
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
Gravity Mains (Size, Type & Pipe Class)				
				\$ -
				\$ -
				\$ -
				\$ -
Laterals (Size and Type)				
Services 2" SDR-9	Linear Feet	203	\$ 2.50	\$ 507.50
				\$ -
				\$ -
				\$ -
Manholes (Size and Type)				
4-6 Foot Deep				\$ -
6-8 Foot Deep				\$ -
8-10 Foot Deep				\$ -
10-12 Foot Deep				\$ -
> 12 Foot Deep				\$ -
Lift Station				
Mechanical Equipment	LS			\$ -
Process Piping	LS			\$ -
Process Structure	LS			\$ -
Process Electrical Equipment	LS			\$ -
Other Improvements	LS			\$ -
Total Sewer System Cost				\$ 17,025.87



FINAL RELEASE OF LIEN

UTILITY IMPROVEMENTS

The undersigned lienor, in consideration of the sum \$17,025.28 hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through 6/30/2018 to Ponte Vedra (2008) LLC, to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR Palm Valley Gardens.

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 15 of Sept., 2021

WITNESS:

Tanya Mauro
Witness Signature

Tanya Mauro
Print Witness Name

OWNER:

Jennifer Holdeman
Lienor's Signature

Jennifer Holdeman
Print Lienor's Name

State of FL
County of Duval

The foregoing instrument was acknowledged before me this 15th day of September, 2021, by Jennifer Holdeman who is personally known to me or has produced _____ as identification.

Meredith Kneese
Notary Public



Exhibit "A"



St. Johns County Utility Department

Asset Mangement

Schedule of Values

Project Name: 54 North Rogoee, formerly known as Palm Valley Gardens Subdivision

Contractor: Jax Dirtworks Inc.

Developer: _____

Item	Unit	Quantity	Unit Cost	Total Cost
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2" SDR-19	Linear Feet	605	\$ 12.65	\$ 7,653.25
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				\$ -
Sewer Valves (Size and Type)				
2" Check Valves	Each	8	\$ 1,108.14	\$ 8,865.12
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
Gravity Mains (Size, Type & Pipe Class)				
				\$ -
				\$ -
				\$ -
				\$ -
Laterals (Size and Type)				
Services 2" SDR-9	Linear Feet	203	\$ 2.50	\$ 507.50
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Manholes (Size and Type)				
4-6 Foot Deep				\$ -
6-8 Foot Deep				\$ -
8-10 Foot Deep				\$ -
10-12 Foot Deep				\$ -
> 12 Foot Deep				\$ -
Lift Station				
Mechanical Equipment	LS			\$ -
Process Piping	LS			\$ -
Process Structure	LS			\$ -
Process Electrical Equipment	LS			\$ -
Other Improvements	LS			\$ -
Total Sewer System Cost				\$ 17,025.87



**ST. JOHNS COUNTY
UTILITIES**

1205 State Road 16
St. Augustine, Florida 32084

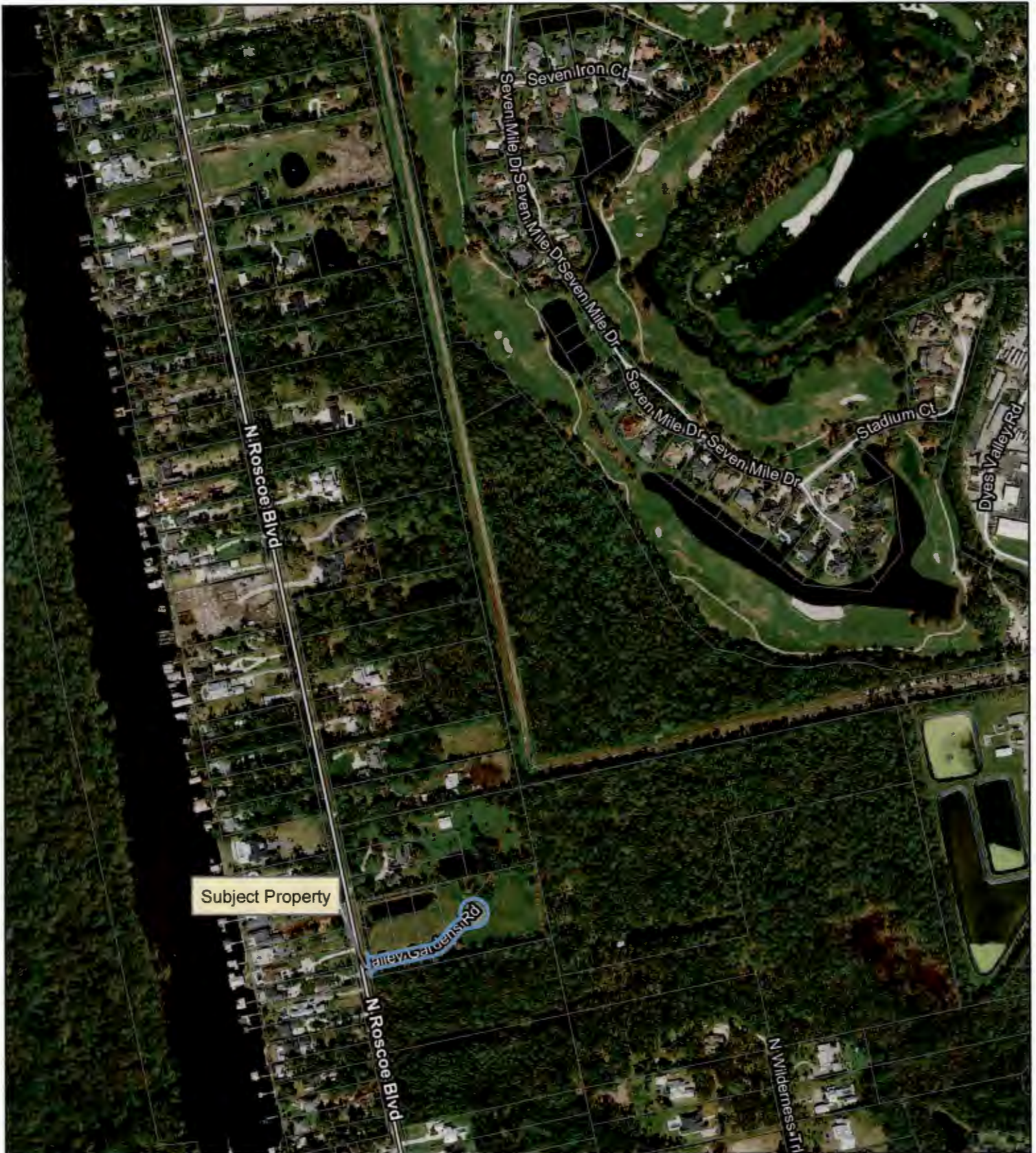
INTEROFFICE MEMORANDUM

TO: Debbie Taylor, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
DATE: March 12, 2024
SUBJECT: 54 North Roscoe (Palm Valley Garden Sub) (ASBULT2018000118)

Please present the Easement, Bill of Sale, Schedule of Values, and Release of Lien, to the Board of County Commissioners (BCC) for final approval and acceptance of 54 North Roscoe (Palm Valley Garden Sub).

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: 3/19/2024

**54 North Roscoe
(Palm Valley Gardens Sub)**

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



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.