

**RESOLUTION NO. 2024-33**

**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 SILVERLEAF 418 PHASE 1 LOCATED OFF SILVERLEAF PARKWAY.**

**RECITALS**

**WHEREAS**, SL 418, LLC, a foreign limited liability company, has executed and presented to the County an Easement for Utilities associated with the water and reuse systems to serve Silverleaf 418 Phase 1, attached hereto as Exhibit “A” incorporated by reference and made a part hereof; and

**WHEREAS**, SL 418, LLC, a foreign 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 Silverleaf 418 Phase 1, attached hereto as Exhibit “B”, incorporated by reference and made a part hereof; and

**WHEREAS**, American Civil Construction, Inc., a Florida profit corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Silverleaf 418 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

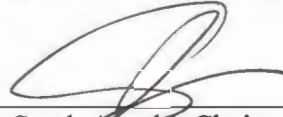
Resolution may be revised without subsequent approval by the Board of County Commissioners.

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 the recorded Easement for Utilities in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** this 6th day of February, 2024.

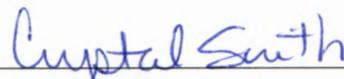
**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

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

  
Sarah Arnold, Chair

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

Rendition Date: FEB 07 2024

  
Deputy Clerk



Public Records of St. Johns County, FL  
Clerk number: 2023096756  
BK: 5870 PG: 1461  
12/13/2023 12:01 PM  
Recording \$44.00  
Doc. D \$0.70

Prepared by and return to:

Brian A. Seidenberg, Esq.  
Polsinelli PC  
315 S. Biscayne Blvd., Suite 400  
Miami, FL 33131

Exhibit "A" to the Resolution

### **EASEMENT FOR UTILITIES**

**THIS EASEMENT FOR UTILITIES** is executed and given this 17<sup>th</sup> day of January 2023, by **SL 418, LLC**, a Delaware limited liability company, with an address of 7775 Baymeadows Way, Suite 300, Jacksonville, FL 32256, 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 Easement for Utilities shall inure to the benefit of and be binding of and be binding upon Grantee and its successors and assigns.

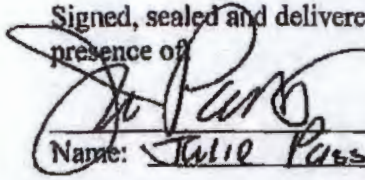
5. For the purposes of the terms and conditions of this Easement for Utilities, "Grantor" means the owner from time to time of the Easement Area or any part thereof.

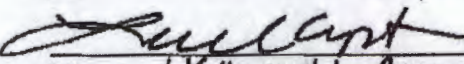
IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer and its corporate seals to be hereunto affixed as of the day and year first above written.

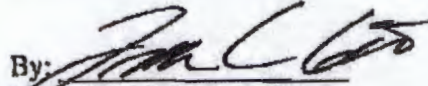
**GRANTOR:**

**SL 418, LLC,**  
a Delaware limited liability company

Signed, sealed and delivered in the presence of

  
Name: Julie Parsulagan

  
Name: L. Kelly Webb-Carpenter

By:   
Name: Franklin C. Gatlin, III  
Its: President

STATE OF FLORIDA            )  
COUNTY OF DUVAL         )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 13 day of January, 2023, by Franklin C. Gatlin, III, as President of SL 418, LLC, a Delaware limited liability company, on behalf of the company. He  is personally known to me or  has produced \_\_\_\_\_ as identification.



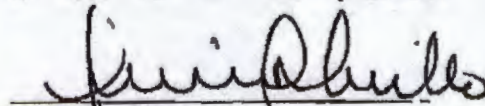
  
Notary Public  
Name: Lucel Murillo  
My Commission Expires: SEP 21, 2026

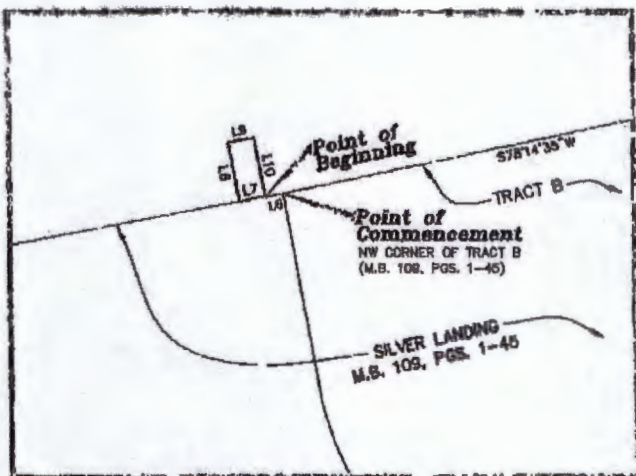
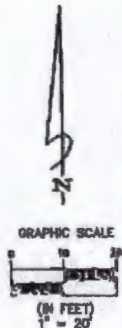
Exhibit "A" to the Easement

MAP SHOWING

A PORTION OF SECTION 8, TOWNSHIP 8 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT B, AS SHOWN ON THE PLAT OF SILVER LANDING, RECORDED IN MAP BOOK 108, PAGES 1 THROUGH 45, INCLUSIVE OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 79°40'20" WEST, ALONG THE NORTHERLY LINE OF SAID PLAT OF SILVER LANDING, 3.32 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 79°40'20" WEST, ALONG LAST SAID LINE, 8.00 FEET; THENCE NORTH 10°19'40" WEST, 11.20 FEET; THENCE NORTH 79°40'20" EAST, 5.00 FEET; THENCE SOUTH 10°19'40" EAST, 11.20 FEET, TO THE POINT OF BEGINNING.

CONTAINING 88 SQUARE FEET, MORE OR LESS.



GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON N'LY LINE OF TRACT B (M.B. 108, PGS. 1-45) AS S78°14'35\"W.
2. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
3. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

| LINE TABLE |              |          |
|------------|--------------|----------|
| LINE       | BEARING      | DISTANCE |
| L8         | S78°40'20\"W | 3.32'    |
| L7         | S79°40'20\"W | 8.00'    |
| L8         | N10°19'40\"W | 11.20'   |
| L9         | N79°40'20\"E | 5.00'    |
| L10        | S10°19'40\"E | 11.20'   |

LEGEND

M.B. = MAP BOOK  
PGS. = PAGES

JOB NO 2023-17

DRAFTER JWS

DATE 1-10-2022

CHECKED BY:

THIS MAP OR DEWEY MEETS THE REQUIREMENTS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF REVENUE AND THE FLORIDA SURVEYING BOARD AS CONTAINED IN CHAPTER 12A-17, FLORIDA ADMINISTRATIVE CODE (F.A.C.) AND CHAPTER 47E, FLORIDA STATUTES.

THIS BEARING, DISTANCE AND AREA ARE CORRECT AS SHOWN AND IT BEARS THE SIGNATURE AND SEAL OF A LICENSED SURVEYOR AND MAPPER.

MICHAEL Z. COLLIER, P.E.S., CERT. NO. 6788

**Clary & Associates**  
PROFESSIONAL SURVEYORS & MAPPERS  
19 8th St. SE  
1000 Broomfield Park Blvd.  
Doonahoe, Florida 32021  
(904) 860-2700  
www.claryassociates.com

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

PROJECT: Silverleaf 418

SL 418, LLC, 7775 Baymedows Way, Suite 300, Jacksonville, Florida 32258

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 30 of January, 2023.

WITNESS:

OWNER:

[Signature]  
Witness Signature

[Signature]  
Owner Signature

Robert Park McMillin  
Witness Print Name

Franklin C. Gatlin, III  
Owner Print Name

STATE OF Florida

COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of x physical presence or \_\_\_\_\_ online notarization, this 30 day of January, 2023, by

Franklin C. Gatlin, III as President for Silverleaf 418, LLC

[Signature]  
Notary Public  
My Commission Expires: 4-11-26

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: SILVERLEAF 418  
 Contractor: AMERICAN CIVIL CONSTRUCTION INC  
 Developer: GATLIN DEVELOPMENT COMPANY, INC

|  | UNIT | QUANTITY | UNIT COST   | TOTAL COST          |
|--|------|----------|-------------|---------------------|
| <b>Water Mains (Size, Type &amp; Pipe Class)</b> |      |          |             |                     |
| 12" C900 PVC                                     | LF   | 50       | \$ 50.00    | \$ 2,500.00         |
|  | LF   |          | \$ -        | \$ -                |
|  | LF   |          | \$ -        | \$ -                |
|  | LF   |          | \$ -        | \$ -                |
|  | LF   |          | \$ -        | \$ -                |
| <b>Water Valves (Size and Type)</b>              |      |          |             |                     |
| 12" GATE VALVE                                   | Ea   | 1        | \$ 3,100.00 | \$ 3,100.00         |
| 8" GATE VALVE                                    | Ea   | 1        | \$ 2,250.00 | \$ 2,250.00         |
|  | Ea   |          | \$ -        | \$ -                |
|  | Ea   |          | \$ -        | \$ -                |
|  | Ea   |          | \$ -        | \$ -                |
| <b>Hydrants Assembly (Size and Type)</b>         |      |          |             |                     |
|  | Ea   |          | \$ -        | \$ -                |
|  |      |          | \$ -        | \$ -                |
|  |      |          | \$ -        | \$ -                |
| <b>Services (Size and Type)</b>                  |      |          |             |                     |
| 6" POTABLE WATER SERVICE                         | Ea   | 1        | \$ 2,230.00 | \$ 2,230.00         |
|  | Ea   |          | \$ -        | \$ -                |
|  | Ea   |          | \$ -        | \$ -                |
|  |      |          | \$ -        | \$ -                |
| <b>Total Water System Cost</b>                   |      |          |             | <b>\$ 10,080.00</b> |





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

Project Name: \_\_\_\_\_

Contractor: \_\_\_\_\_

Developer: \_\_\_\_\_

|  | UNIT | QUANTITY | UNIT COST                      | TOTAL COST         |
|--|------|----------|--------------------------------|--------------------|
| <b>Reuse Mains (Size, Type &amp; Pipe Class)</b> |      |          |                                |                    |
| 4" DR11 HDPE                                     | LF   | 120      | \$ 61.00                       | \$ 7,320.00        |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
| <b>Reuse Valves (Size and Type)</b>              |      |          |                                |                    |
| 4" Gate Valve                                    | Ea   | 2        | \$ 780.00                      | \$ 1,560.00        |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
| <b>Sevices (Size and Type)</b>                   |      |          |                                |                    |
| 2" Service                                       | Ea   | 1        | \$ 1,114.00                    | \$ 1,114.00        |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  |      |          | <b>Total Reuse System Cost</b> | <b>\$ 9,994.00</b> |



Exhibit "C" to the Resolution  
**ST. JOHNS COUNTY UTILITY DEPARTMENT**  
**3C - CLOSEOUT - RELEASE OF LIEN**  
**UTILITY IMPROVEMENTS**

The undersigned lienor, in consideration of the sum  
\$20,074.00

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

January 9, 2023 to Gatlin Development Company, Inc.  
 Date (Developer's/Owner's Name)

to the following described property:

"SEE EXHIBIT A SCHEDULE OF VALUES FOR  
Silverleaf 418

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 6th day of February,  
 2023.

**WITNESS:**

[Signature]  
 Witness Signature  
Mason Krenz  
 Print Witness Name

**CONTRACTOR:**  
[Signature]  
 Lienor's Signature  
Robert W Ackley, Jr.  
 Print Lienor's Name

STATE OF Florida  
 COUNTY OF Flagler

The foregoing instrument was acknowledged before me by means of  physical  
 presence or  online notarization, this 6th day of February, 2023, by  
Robert W Ackley, Jr. as President for  
American Civil Construction, Inc.

[Signature]  
 Notary Public  
 My Commission Expires: 2026

Personally Known or Produced Identification  
 Type of Identification Produced

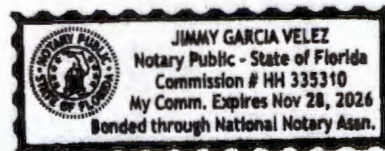




Exhibit "A" to the Final Release of Lien  
**St. Johns County Utility Department**  
 Asset Management  
 Schedule of Values

Project Name: SILVERLEAF 418  
 Contractor: AMERICAN CIVIL CONSTRUCTION INC  
 Developer: GATLIN DEVELOPMENT COMPANY, INC

|  | UNIT | QUANTITY | UNIT COST   | TOTAL COST       |
|--|------|----------|-------------|------------------|
| <b>Water Mains (Size, Type &amp; Pipe Class)</b> |      |          |             |                  |
| 12" C900 PVC                                     | LF   | 50       | \$ 50.00    | \$ 2,500.00      |
|  | LF   |          | \$ -        | \$ -             |
|  | LF   |          | \$ -        | \$ -             |
|  | LF   |          | \$ -        | \$ -             |
|  | LF   |          | \$ -        | \$ -             |
| <b>Water Valves (Size and Type)</b>              |      |          |             |                  |
| 12" GATE VALVE                                   | Ea   | 1        | \$ 3,100.00 | \$ 3,100.00      |
| 8" GATE VALVE                                    | Ea   | 1        | \$ 2,250.00 | \$ 2,250.00      |
|  | Ea   |          | \$ -        | \$ -             |
|  | Ea   |          | \$ -        | \$ -             |
|  | Ea   |          | \$ -        | \$ -             |
| <b>Hydrants Assembly (Size and Type)</b>         |      |          |             |                  |
|  | Ea   |          | \$ -        | \$ -             |
|  |      |          | \$ -        | \$ -             |
|  |      |          | \$ -        | \$ -             |
| <b>Services (Size and Type)</b>                  |      |          |             |                  |
| 6" POTABLE WATER SERVICE                         | Ea   | 1        | \$ 2,230.00 | \$ 2,230.00      |
|  | Ea   |          | \$ -        | \$ -             |
|  | Ea   |          | \$ -        | \$ -             |
|  |      |          | \$ -        | \$ -             |
| <b>Total Water System Cost</b>                   |      |          | <b>\$</b>   | <b>10,080.00</b> |



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

Project Name: \_\_\_\_\_

Contractor: \_\_\_\_\_

Developer: \_\_\_\_\_

|  | UNIT | QUANTITY | UNIT COST                      | TOTAL COST         |
|--|------|----------|--------------------------------|--------------------|
| <b>Reuse Mains (Size, Type &amp; Pipe Class)</b> |      |          |                                |                    |
| 4" DR11 HDPE                                     | LF   | 120      | \$ 61.00                       | \$ 7,320.00        |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
|  | LF   |          | \$ -                           | \$ -               |
| <b>Reuse Valves (Size and Type)</b>              |      |          |                                |                    |
| 4" Gate Valve                                    | Ea   | 2        | \$ 780.00                      | \$ 1,560.00        |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
| <b>Sevices (Size and Type)</b>                   |      |          |                                |                    |
| 2" Service                                       | Ea   | 1        | \$ 1,114.00                    | \$ 1,114.00        |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  | Ea   |          | \$ -                           | \$ -               |
|  |      |          | <b>Total Reuse System Cost</b> | <b>\$ 9,994.00</b> |

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

Date: January 17th, 2023  
Project Title: Silverleaf 418  
FROM: American Civil Construction, Inc  
Contractor's Name  
Address: 2323 N State Street Unit 60  
Bunnell, FL 32110

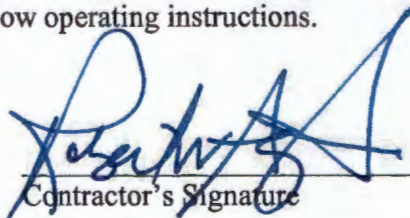
TO: St. Johns County Utility Department  
Post Office Box 3006  
St. Augustine, Florida 32085

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.

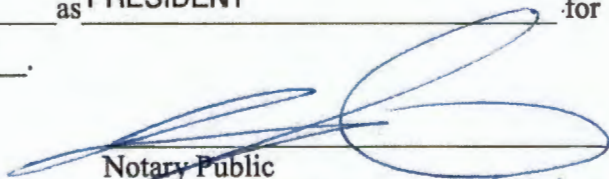
**Contractor:**

Robert W Ackley, Jr  
Print Contractor's Name

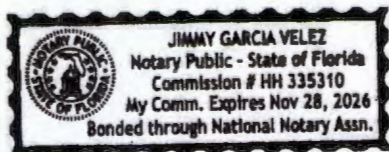
  
Contractor's Signature

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of  physical presence or \_\_\_\_\_ on-line notarization, this 17 day of JANUARY, 2023, by ROBERT W ACKLEY JR as PRESIDENT for AMERICAN CIVIL CONSTRUCTION INC.

  
Notary Public  
My Commission Expires: 11/28/2026

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:** Silverleaf 418 Phase 1 (ASBULT 2023000106)

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 Silverleaf 418 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.



2023 Aerial Imagery  
Date: 12/15/2023

**Silverleaf 418  
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.