

**RESOLUTION NO. 2024-37**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY TO INSTALL ELECTRICAL SERVICE TO MILL CREEK PARK LOCATED OFF STATE ROAD 16.**

**RECITALS**

**WHEREAS**, Florida Power & Light Company (“FPL”) has requested an Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, in order to install electrical service to Mill Creek Park located off State Road 16; and

**WHEREAS**, FPL requires that a customer desiring electrical service provide FPL with access and rights-of-way which in the opinion of FPL are necessary for rendering of service to the customer; and

**WHEREAS**, the County has authority to grant such rights, easements, permits and privileges and it is found that granting the easement to FPL serves the Mill Creek Park construction project.

**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 FPL Easement is hereby approved by the Board of County Commissioners and the Chair is authorized to execute the easement on behalf of the County.

Section 3. To the extent that there are typographical and/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 Court is instructed to record the Easement in the Official Records of St. Johns County, Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners 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

Crystal Smith  
Deputy Clerk



Work Request No. 12703751

Sec. 38, Twp 06 S, Rge 28 E

Parcel I.D. 0286600000  
(Maintained by County Appraiser)

### EASEMENT (BUSINESS)

This Instrument Prepared By

Name: NICHOLAS LUBRANO  
Co. Name: FLORIDA POWER AND LIGHT  
Address: 303 HASTINGS RD  
SAINT AUGUSTINE, FL 32080

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 20\_\_\_\_.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
(Witness' Signature)

St. Johns County, a political subdivision of the State of Florida

Print Name: \_\_\_\_\_  
(Witness)

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

\_\_\_\_\_  
(Witness' Signature)

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_  
(Witness)

Print Address: 500 San Sebastian View

St. Augsutine, FL 32084

Witnesses post office addresses:

Witness 1: \_\_\_\_\_ Witness 2: \_\_\_\_\_

STATE OF \_\_\_\_\_ AND COUNTY OF \_\_\_\_\_.

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization,

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

and \_\_\_\_\_ who is (are) personally known to me or has (have)

produced \_\_\_\_\_ as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public, Signature

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Title or Rank

\_\_\_\_\_  
Serial Number, if any

EXHIBIT "A"

MILL CREEK PARK - FPL EASEMENT

A PARCEL OF LAND, BEING A PORTION OF SUB-SECTIONS 8 AND 9, LYING WITHIN THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SUB-SECTION 9, LYING WITHIN SAID ANTONIO HUERTAS GRANT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF OFFICIAL RECORDS BOOK 3532, PAGE 537 AS RECORDED IN THE CURRENT OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH  $72^{\circ}13'55''$  WEST, ALONG THE NORTHERLY LINE OF SUB-SECTION 9, AND THE SOUTHERLY LINE OF SAID OFFICIAL RECORDS BOOK, A DISTANCE OF 61.59 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, SOUTH  $17^{\circ}34'18''$  WEST, DEPARTING SAID LINE, A DISTANCE OF 88.57 FEET; THENCE SOUTH  $72^{\circ}10'27''$  EAST, A DISTANCE OF 10.00 FEET; THENCE NORTH  $17^{\circ}34'18''$  EAST; A DISTANCE OF 358.58 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 16, AS NOW ESTABLISHED; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTHWESTERLY ALONG THE ARC OF A CURVE, BEING CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 17118.08 FEET, THROUGH A CENTRAL ANGLE OF  $0^{\circ}02'01''$ , AN ARC DISTANCE OF 10.06 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH  $78^{\circ}47'58''$  WEST, 10.06 FEET; THENCE SOUTH  $17^{\circ}34'18''$  WEST, DEPARTING SAID RIGHT OF WAY LINE, A DISTANCE OF 268.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,580 SQUARE FEET, MORE OR LESS.

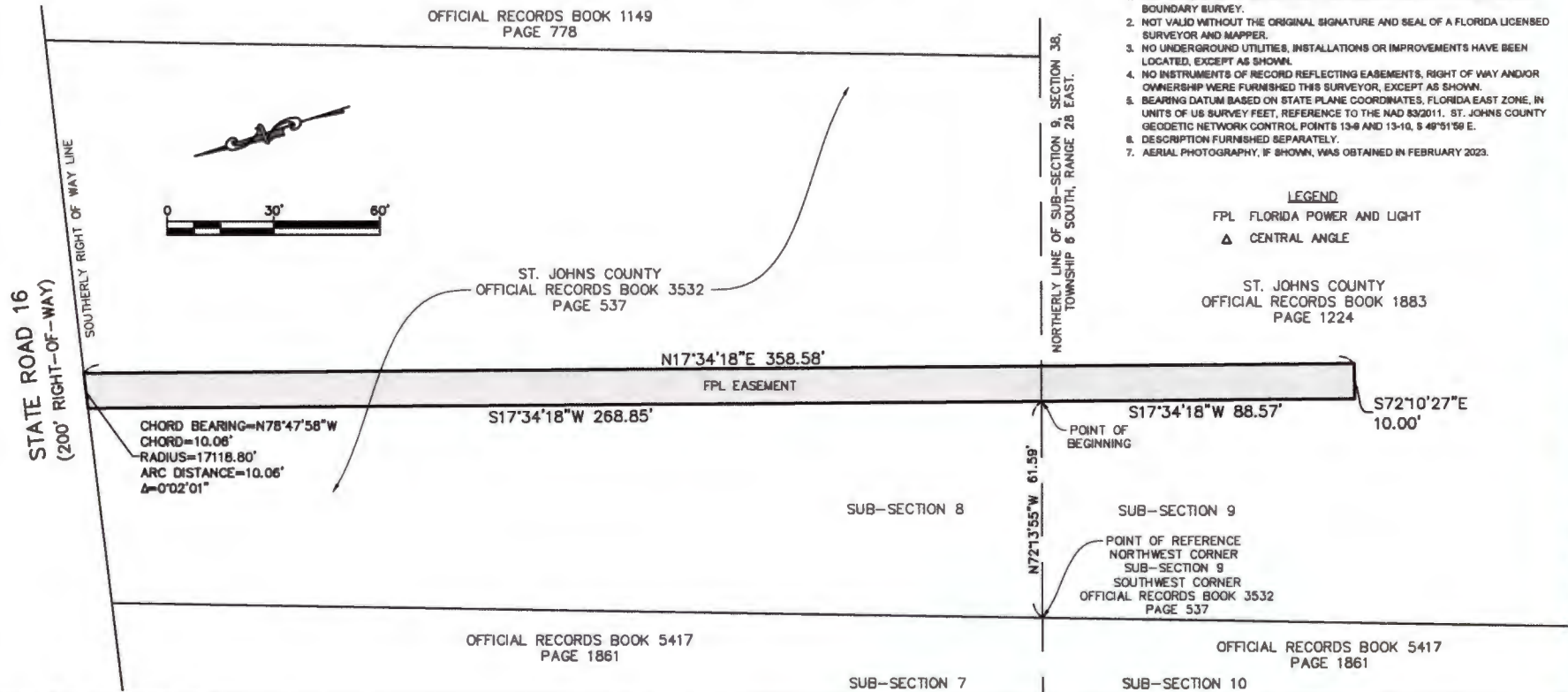
**MAP SHOWING A SKETCH OF DESCRIPTION FOR A PORTION OF SUB-SECTIONS  
8 AND 9, LYING WITHIN THE ANTONIO HUERTAS GRANT, SECTION 38,  
6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA.  
FOR: ST. JOHNS COUNTY ENGINEERING DIVISION**

- SURVEYORS NOTES:**
1. THIS IS A SKETCH OF DESCRIPTION AND DOES NOT PURPORT TO BE AN ACTUAL BOUNDARY SURVEY.
  2. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  3. NO UNDERGROUND UTILITIES, INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
  4. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR, EXCEPT AS SHOWN.
  5. BEARING DATUM BASED ON STATE PLANE COORDINATES, FLORIDA EAST ZONE, IN UNITS OF US SURVEY FEET, REFERENCE TO THE NAD 83/2011. ST. JOHNS COUNTY GEODETIC NETWORK CONTROL POINTS 13-9 AND 13-10, 5 49°51'56" E.
  6. DESCRIPTION FURNISHED SEPARATELY.
  7. AERIAL PHOTOGRAPHY, IF SHOWN, WAS OBTAINED IN FEBRUARY 2023.

**LEGEND**

FPL FLORIDA POWER AND LIGHT  
 ▲ CENTRAL ANGLE

ST. JOHNS COUNTY  
 OFFICIAL RECORDS BOOK 1883  
 PAGE 1224



THIS DRAWING MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA STATE BOARD OF PROFESSIONAL LAND SURVEYORS, CHAPTER 5J-17, F.A.C.; PURSUANT TO SECTION 472.027 FLORIDA STATUTES; SUBJECT TO ALL NOTES AND NOTATIONS SHOWN HEREON.

**MILL CREEK PARK  
FPL EASEMENT**

SKETCH OF DESCRIPTION  
DATE OF SKETCH: JANUARY 10, 2024



**ST. JOHNS COUNTY LAND MANAGEMENT SYSTEMS  
SURVEYING AND MAPPING DIVISION**

**500 SAN SEBASTIAN VIEW  
ST AUGUSTINE, FLORIDA 32084**

**DONALD A. BRADSHAW P.S.M. NO. 5513  
Phone (904) 209-0770  
Email: dbradshaw@sjcfl.us**

DRAWN BY: J.MANNING
FILE NUMBER: S-1249A
SHEET NO. 1
OF 1



2023 Aerial Imagery

Date: 1/11/2024

**FPL Easement**  
**Mill Creek Park**



**Land Management**  
**Systems**  
**(904) 209-0782**

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.