

RESOLUTION NO. 2024-402

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR THE MAINTENANCE DRAINAGE FACILITIES ALONG MOON BAY PARKWAY.

RECITALS

WHEREAS, the owner of Tracts “HH”, “DD” and “FF”, Bridgewater Moon Bay Parkway Extension, has executed and presented to St. Johns County a Grant of Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, across a portion of said tracts; and

WHEREAS, the easement allows the County to maintain culverts and drainage facilities along Moon Bay Parkway; and

WHEREAS, it is in the best interest of the County to accept the Grant of Easement 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 above described Grant of Easement is hereby accepted by the Board of County Commissioners.

Section 3. The Clerk is instructed to record the original Grant of Easement in the public records of St. Johns County, Florida.

Section 4. 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.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, this 1st day of October, 2024.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: _____
Sarah Arnold, Chair

Rendition Date OCT 07 2024

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

By: Crystal Smith
Deputy Clerk



Prepared by:
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

GRANT OF EASEMENT

THIS INDENTURE, made this 27th day of February, 2024, between **FORESTAR (USA) REAL ESTATE GROUP INC.**, a Delaware corporation, whose address is 14785 Old St. Augustine Road, Suite 300, Jacksonville, Florida 32258, hereinafter called **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, hereinafter called **GRANTEE**.

WITNESSETH: That Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them, in hand paid by Grantee, the receipt of which hereby acknowledged, has granted, bargained, sold and conveyed to the Grantee, his successors and assigns, an ingress and egress easement with the right, privilege, and authority to said Grantee, its successors and assigns, to enter the drainage of surface waters either above or below the surface of the ground, together with the right to install and maintain drainage facilities, on, along, over, through, across, or under the following described land situate in St. Johns County, Florida to wit:

Property as described on attached **EXHIBIT "A"**, incorporated by reference and made a part hereof ("Easement Area").

All activities undertaken in connection with this easement shall be undertaken in a sound, professional manner. Any rights granted hereunder shall be exercised by Grantee only in accordance and compliance with any and all applicable laws, ordinances, rules, regulations, permits and approvals, and any future modifications or amendments thereto. Grantee shall not discharge into or within the Easement Area any hazardous or toxic materials or substances, any pollutants, or any other substances or materials prohibited or regulated under any federal, state, or local law, ordinance, rule, regulation or permit, except in accordance with such laws, ordinances, rules, regulations and permits.

In the performance of any activities permitted by this agreement, Grantee shall use commercially reasonable efforts to ensure Grantee's activities shall not create a hazardous condition and minimize any disturbance to the use of the Easement Area by Grantor and/or Grantor's residents and guests, and their respective successors, assigns, contractors, invitees, licensees, agents; employees and customers. Upon the completion of any work, Grantee, at its own cost and expense, shall remove all debris, materials and equipment, and shall restore the surface of the Easement Area and surrounding land to substantially the same condition as existed prior to such work. Grantor reserves the right to use and grant to others the right to use the Easement Area, in accordance with the terms and conditions of this Agreement and in a manner that does not materially interfere with Grantee's rights hereunder as set forth herein.

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.

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

Signed and Sealed
in our Presence:

sign) *M/D*
(print) Mikel Denton
Address:

(sign) *Heather Brady*
(print) Heather Brady
Address:

GRANTOR
Forestar (USA) Real Estate Group Inc.,
a Delaware corporation

By: *Shuaib Wicker*
Its: Vice President

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 27th day of February, 2024, by Shuaib Wicker as Vice President of Forestar (USA) Real Estate Group, Inc., a Delaware corporation.



Heather Brady
Notary Public
My Commission Expires: 06/13/2027

Personally Known or Produced Identification
Type of Identification Produced

MAP SHOWING SKETCH & LEGAL DESCRIPTION OF

PARCEL 1

A PART OF TRACT "HH", BRIDGEWATER MOON BAY PARKWAY EXTENSION, AS RECORD IN MAP BOOK 115, PAGES 79 THROUGH 82, AND A PART OF TRACT "RR", BRIDGEWATER PHASE 2A, AS RECORD IN MAP BOOK 120, PAGES 7 THROUGH 14, BOTH OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST NORTHERLY POINT OF SAID TRACT "HH", SAID POINT LYING ON A CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 420.03 FEET; THENCE SOUTHERLY, ALONG LAST SAID CURVE AND THE EAST LINE OF SAID TRACT "HH", AN ARC DISTANCE OF 236.33 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S04°13'01"W AND A CHORD DISTANCE OF 233.23 FEET TO THE POINT OF BEGINNING; THENCE S57°43'42"E, A DISTANCE OF 10.88 FEET; THENCE S32°16'18"W, A DISTANCE OF 176.39 FEET; THENCE N57°43'42"W, A DISTANCE OF 26.83 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MOON BAY PARKWAY (AN 80-FOOT RIGHT OF WAY), AS SHOWN ON SAID PLAT OF BRIDGEWATER MOON BAY PARKWAY EXTENSION; THENCE N38°15'42"E, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 54.73 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 430.00 FEET; THENCE NORTHEASTERLY, ALONG LAST SAID CURVE, AN ARC DISTANCE OF 122.46 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING OF N30°06'10"E AND A CHORD DISTANCE OF 122.05 FEET; THENCE S57°43'42"E, DEPARTING SAID EASTERLY RIGHT OF WAY AND NON-TANGENT TO LAST SAID CURVE, A DISTANCE OF 14.86 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 0.09 ACRES, MORE OR LESS

PARCEL 2

A PART OF TRACT "DD" AND TRACT "FF", BRIDGEWATER MOON BAY PARKWAY EXTENSION, AS RECORD IN MAP BOOK 115, PAGES 79 THROUGH 82 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "FF", SAID POINT ALSO LYING ON A CURVE BEING CONCAVE WESTERLY HAVING A RADIUS OF 339.88 FEET; THENCE SOUTHERLY, ALONG LAST SAID CURVE AND THE EAST LINE OF SAID TRACT "FF", AN ARC DISTANCE OF 174.11 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S14°08'05"W AND A CHORD DISTANCE OF 172.22 FEET TO THE POINT OF BEGINNING; THENCE S51°41'40"E, DEPARTING LAST SAID EAST LINE AND NON-TANGENT TO LAST SAID CURVE, A DISTANCE OF 10.26 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF MOON BAY PARKWAY (AN 80-FOOT RIGHT OF WAY), AS SHOWN ON SAID PLAT OF BRIDGEWATER MOON BAY PARKWAY EXTENSION, SAID POINT ALSO LYING ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 350.00 FEET; THENCE SOUTHWESTERLY, ALONG LAST SAID CURVE, AN ARC DISTANCE OF 56.04 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING OF S33°40'29"W AND A CHORD DISTANCE OF 55.98 FEET TO A POINT OF TANGENCY OF LAST SAID CURVE; THENCE S38°15'42"W, CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 118.60 FEET; THENCE N50°52'47"W, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 19.99 FEET; THENCE N38°35'24"E, A DISTANCE OF 174.12 FEET; THENCE S51°41'40"E, A DISTANCE OF 4.25 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 0.08 ACRES, MORE OR LESS

(SEE SHEET 2 FOR SKETCH)

SHEET 1 OF 2

PERRET AND ASSOCIATES, INC.

1484 MONTICELLO ROAD, JACKSONVILLE, FLORIDA 32207 - (904) 805-0030

GENERAL NOTES:

- (1) BEARINGS SHOWN HEREON ARE BASED ON THE WLY RIGHT OF WAY LINE OF MOON BAY PARKWAY AS S38°15'42"W, PER DEED.
- (2) THIS SKETCH DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
- (3) UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN.
- (4) IT IS THE LENDER'S RESPONSIBILITY TO DETERMINE FEMA F.I.R.M. MAP STATUS FOR THE LIFE OF THE LOAN ON THE PROPERTY SHOWN ABOVE. SURVEYOR HEREON WILL CONFIRM FOR ADDITIONAL FEE.

P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.C.P.	PERMANENT CONTROL POINT
B.R.L.	BUILDING RESTRICTION LINE
CL	CENTERLINE
CLF	CHAIN LINK FENCE
R.W.	RIGHT-OF-WAY
O.R.B.	OFFICIAL RECORDS BOOK
OL	ON LINE
— —	BREAK LINE
F.F.E.	FINISHED FLOOR ELEVATION

LEGEND

R	RADIUS
Δ or D	DELTA (CENTRAL ANGLE)
A or L	ARC LENGTH
C or CH	CHORD
CB	CHORD BEARING
(R)	LINE RADIAL TO CURVE
A/C	AIR CONDITIONER
CONC.	CONCRETE
FD.	FOUND
IP	IRON PIPE
(M)	MEASURED
(P)	PLAT
(C)	CALCULATED
— —	FENCE

SCALE 1"=50'

02-09-2024

DATE OF SKETCH

NATHAN P. PERRET, FLA. CERT. NO. 6900



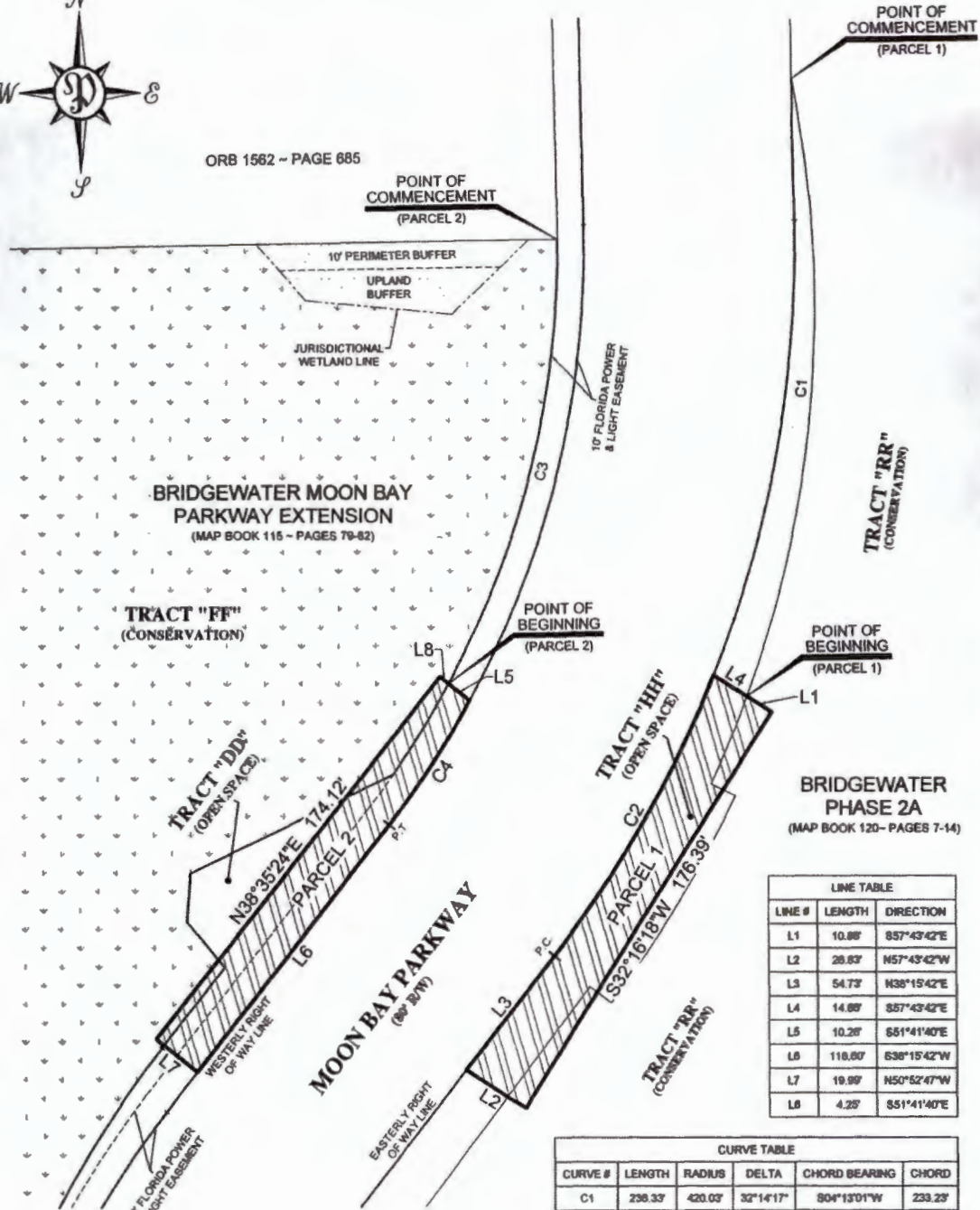
LB ~ 6715

MAP SHOWING SKETCH & LEGAL DESCRIPTION OF

(SEE SHEET 1 FOR COMPLETE LEGAL DESCRIPTION)



ORB 1562 ~ PAGE 685



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	10.88'	S57°43'42"E
L2	28.63'	N57°43'42"W
L3	54.73'	N38°15'42"E
L4	14.88'	S57°43'42"E
L5	10.28'	S51°41'40"E
L6	118.80'	S38°15'42"W
L7	19.98'	N50°52'47"W
L8	4.25'	S51°41'40"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	238.33'	420.00'	32°14'17"	S04°13'01"W	233.23'
C2	122.46'	430.00'	16°19'04"	N30°08'10"E	122.05'
C3	174.11'	338.88'	29°21'07"	S14°08'05"W	172.22'
C4	56.04'	350.00'	9°10'28"	S33°40'29"W	55.98'

SHEET 2 OF 2

PERRET AND ASSOCIATES, INC.

1484 MONTICELLO ROAD, JACKSONVILLE, FLORIDA 32207 ~ (904) 805-0030

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- LEGEND**
- P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.R.C. POINT OF REVERSE CURVE
 - P.C.C. POINT OF COMPOUND CURVE
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.C.P. PERMANENT CONTROL POINT
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 - C.L. CENTERLINE
 - C.L.F. CHAIN LINK FENCE
 - R.W. RIGHT-OF-WAY
 - O.R.B. OFFICIAL RECORDS BOOK
 - O.L. ON LINE
 - BREAK LINE
 - F.F.E. FINISHED FLOOR ELEVATION

- R RADIUS
- Δ or D DELTA (CENTRAL ANGLE)
- A or L ARC LENGTH
- C or CH CHORD
- CB CHORD BEARING
- (R) LINE RADIAL TO CURVE
- A/C AIR CONDITIONER
- CONC. CONCRETE
- FD. FOUND
- I.P. IRON PIPE
- MEAS. MEASURED
- (P) PLAT
- (C) CALCULATED
- FENCE FENCE



SCALE 1"=50'
02-09-2024
DATE OF SKETCH

LB ~ 6715



2023 Aerial Imagery

Date: 8/28/2024

**Grant of Easement
Drainage Facilities
Moon Bay Parkway**



**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 herein.