

RESOLUTION NO. 2024-404

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BILL OF SALE, FINAL RELEASE OF LIEN AND WARRANTY ASSOCIATED WITH THE WATER AND REUSE SYSTEMS TO SERVE TEXAS ROADHOUSE LOCATED OFF OUTLET MALL BOULEVARD.

RECITALS

WHEREAS, Texas Roadhouse Holdings LLC, a Foreign Limited Liability Company, has executed and presented to the County a Bill of Sale with a Schedule of Values, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, conveying all personal property associated with the water and reuse systems to Texas Roadhouse; 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 Texas Roadhouse, attached hereto as Exhibits “B” and “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 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 Court is instructed to record the Final Release of Lien in the Official Records and file the Warranty and Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 1st day of October, 2024.

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

Rendition Date OCT 07 2024

By: _____

Sarah Arnold, Chair

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

Crystal Smith
Deputy Clerk



Exhibit "A" to the Resolution
ST. JOHNS COUNTY UTILITY DEPARTMENT
3F - CLOSEOUT - BILL OF SALE

PROJECT: Texas Roadhouse - 410 Outlet Mall Blvd., St. Augustine,
FL 32084 Texas Roadhouse Holdings LLC
6040 Outchmans Ln Louisville KY 40205

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 18th of MARCH, 2024.

WITNESS:

Kaitlyn Hawk
Witness Signature

Kaitlyn Hawk
Witness Print Name

OWNER:

Russell Arbuckle
Owner Signature

Russell Arbuckle
Owner Print Name

STATE OF Kentucky
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 18th day of March, 2024, by Russell Arbuckle as Sr. Director of Real Estate for Texas Roadhouse Holdings LLC.

D. Cassidy
Notary Public
My Commission Expires: 3/4/2027

Personally Known or Produced Identification
Type of Identification Produced



**ST. JOHNS COUNTY UTILITY DEPARTMENT
ASSET MANAGEMENT
SCHEDULE OF VALUES - WATER**

Project Name: Texas Roadhouse - St. Augustine
 Contractor: American Civil Construction Inc
 Developer: LVP St. Augustine Outlets, LLC.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
6" DR 14	LF	30	\$ 100.00	\$ 3,000.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
6" Tapping Sleeve & Valve	Ea	2	\$ 1,250.00	\$ 2,500.00
2" Tapping Sleeve & Valve	Ea	1	\$ 376.04	\$ 376.04
6" Gate Valve	Ea	1		
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Hydrants Assembly (Size and Type)				
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Sevices (Size and Type)				
2" DR 9	Ea	21	\$ 23.00	\$ 483.00
2" Meter Assembly	Ea	1	\$ 1,264.00	\$ 1,264.00
	Ea			\$ -
	Ea		\$ -	\$ -
Total Water System Cost				\$ 7,623.04

**ST. JOHNS COUNTY UTILITY DEPARTMENT
ASSET MANAGEMENT
SCHEDULE OF VALUES - RECLAIMED WATER**

Project Name: Texas Roadhouse - 410 Outlet Mall Blvd., St. Augustine, FL 32084
 Contractor: American Civil Construction Inc
 Developer: LVP St. Augustine Outlets, LLC.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Reuse Mains (Size, Type & Pipe Class)				
8" DR 18	LF	338	\$ 130.00	\$ 43,940.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Reuse Valves (Size and Type)				
8" Gate Valve	Ea	3	\$ 1,823.32	\$ 5,469.96
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
Sevices (Size and Type)				
1" SDR 9 Poly	Ea	10	\$ 111.00	\$ 1,110.00
1" Meter Assembly	Ea	1		
2" Corp Stop	Ea	2	\$ -	\$ -
1" Corp Stop	Ea	1	\$ -	\$ -
	Ea		\$ -	\$ -
Total Reuse System Cost				\$ 50,519.96



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

The undersigned lienor, in consideration of the sum

Fifty Eight Thousand One Hundred and Forty Three and no/100s Dollars (\$58,143.00)

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

03-19-2024 to LVP St. Augustine Outlets, LLC.
 Date Developer's/Owner's Name)

to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR

Texas Roadhouse - 410 Outlet Mall Blvd., St. Augustine, FL 32084

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 19th day of March, 2024.

WITNESS:

Christopher Herrin

Witness Signature

Christopher Herrin

Print Witness Name

OWNER:

Robert W. Ackley, Jr.

Lienor's Signature

Robert W. Ackley, Jr.

Print Lienor's Name

STATE OF Florida

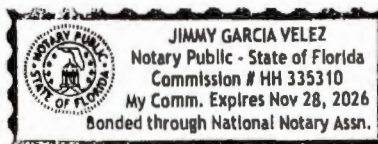
COUNTY OF Flagler

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 19th day of March, 2024, by Robert W. Ackley, Jr. as President for American Civil Construction Inc.

Jimmy Garcia Velez
 Notary Public

My Commission Expires: 11/28/24

Personally Known or Produced Identification
 Type of Identification Produced



**ST. JOHNS COUNTY UTILITY DEPARTMENT
ASSET MANAGEMENT
SCHEDULE OF VALUES - WATER**

Project Name: Texas Roadhouse - St. Augustine
 Contractor: American Civil Construction Inc
 Developer: LVP St. Augustine Outlets, LLC.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
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2" DR 9	Ea	21	\$ 23.00	\$ 483.00
2" Meter Assembly	Ea	1	\$ 1,264.00	\$ 1,264.00
	Ea			\$ -
	Ea		\$ -	\$ -
Total Water System Cost				\$ 7,623.04

**ST. JOHNS COUNTY UTILITY DEPARTMENT
ASSET MANAGEMENT
SCHEDULE OF VALUES - RECLAIMED WATER**

Project Name: Texas Roadhouse - 410 Outlet Mall Blvd., St. Augustine, FL 32084
 Contractor: American Civil Construction Inc
 Developer: LVP St. Augustine Outlets, LLC.

	UNIT	QUANTITY	UNIT COST	TOTAL COST
Reuse Mains (Size, Type & Pipe Class)				
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1" Meter Assembly	Ea	1		
2" Corp Stop	Ea	2	\$ -	\$ -
1" Corp Stop	Ea	1	\$ -	\$ -
	Ea		\$ -	\$ -
Total Reuse System Cost				\$ 50,519.96

Exhibit "C" to the Resolution
ST. JOHNS COUNTY UTILITY DEPARTMENT

Date: February 29th, 2024 **3E – CLOSEOUT - WARRANTY**

Project Title: Texas Roadhouse - St. Augustine

FROM: Robert Ackley

Contractor's Name

Address: American Civil Construction Inc

77 Hargrove Grade

Palm Coast, FL 32137

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

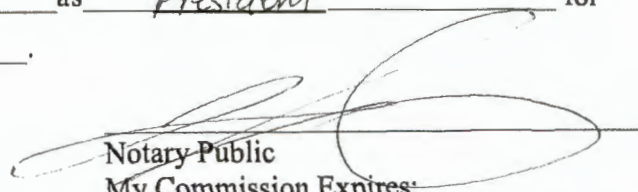
Print Contractor's Name


Contractor's Signature

STATE OF Florida
COUNTY OF Flagler

The foregoing instrument was acknowledged before me by means of X physical presence or _____ on-line notarization, this 13th day of March, 2024, by

Robert Ackley Jr as President for
American Civil Construction.


Notary Public

My Commission Expires: _____

Personally Known or Produced Identification
Type of Identification Produced

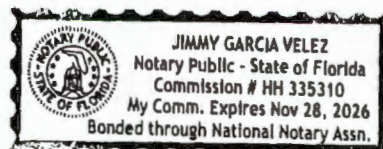




Exhibit "D" to the Resolution

**ST. JOHNS COUNTY
UTILITIES**

1205 State Road 16
St. Augustine, Florida 32084

INTEROFFICE MEMORANDUM

TO: David Kaufman, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
DATE: August 20, 2024
SUBJECT: Texas Roadhouse (ASBULT 2024000028)

St. Johns County Utility Department has reviewed and approved the Bill of Sale, Schedule of Values, Release of Lien, and Warranty. Please present the documents to the Board of County Commissioners (BCC) for final approval and acceptance of Texas Roadhouse.

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 Area



2023 Aerial Imagery

Date: 8/23/2024

Texas Roadhouse
Bill of Sale, Final Release
of Lien and Warranty



Land Management
Systems
(904) 209-0798

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.