RESOLUTION NO. 2024- 473

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR THE FIRE HYDRANT SYSTEM AND A BILL OF SALE, FINAL RELEASE OF LIEN AND WARRANTY ASSOCIATED WITH THE WATER, SEWER SYSTEMS TO SERVE ST. AUGUSTINE STORAGE LOCATED OFF US 1 SOUTH.

RECITALS

WHEREAS, ESS-Flagship St. Augustine FL Sub LLC, a foreign limited liability company, has executed and presented to the County an Easement for Utilities associated with the fire hydrant system to serve St. Augustine Storage, attached hereto as Exhibit "A", incorporated by reference and made a part hereof; and

WHEREAS, ESS-Flagship St. Augustine FL Sub 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 sewer systems to serve St. Augustine Storage, attached hereto as Exhibit "B", incorporated by reference and made a part hereof; and

WHEREAS, J.D. Weber Construction Co., a Florida profit corporation, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at St. Augustine Storage, 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, scriveners or administrative errors that <u>do not</u> 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 Warranty and Bill of Sale in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 5th day of November, 2024.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

Rendition Date NOV 0 7

NOV 0 7 2024

By: Sarah Arnold Chair

ATTEST: Brandon J. Patty, Clerk of the

Circuit Court & Comptroller

Cluber J. Placy
Deputy Clerk



Exhibit "A" to the Resolution **EASEMENT FOR UTILITIES**

THIS EASEMENT executed and given this \(\frac{18^4}{100} \) day of \(\frac{1500}{100} \), 2024 by \(\text{ESS-FLAGSHIP ST AUGUSTINE FL SUB LLC}, \) a Delaware limited liability company, with an address of 2795 E. Cottonwood Parkway, Salt Lake City, Utah 84121, 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 Fire Hydrant 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 the Fire Hydrant 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. Fire Hydrant The Grantee shall maintain Fire Hydrant(s) and shall be responsible for maintaining the water line located within the boundary of the Easement.
- 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 in the presence of: ESS-FLAGSHIP ST AUGUSTINE FL SUB LLC, a Delaware limited liability company Name: Its: Mahagér Cottonyoud Dkny # 300 itness Address REQUIRED BUSINESS OR PERSONAL STATE OF UTAH COUNTY OF SALT LAKE The foregoing instrument was acknowledged before me by means

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this the day of the physical presence or online notarization, this the day of the physical presence or online notarization, this the day of the physical presence or online notarization, this the day of the physical presence or online notarization, this the physical day of the physical presence or online notarization, this the physical day of the physical presence or online notarization, this the physical physical physical day of the physical physical

EXHIBIT "A" EASEMENT AREA

MAP SHOWING SURVEY OF:

A PORTION OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA.

CERTIFICATIONS: FPL FLAGSHIP

LEGAL DESCRIPTION: FIRE HYDRANT EASEMENT

A PORTION OF GOVERNMENT LOT 5, SECTION 6, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED

FOR A POINT OF REFERENCE COMMENCE AT INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF KENT ROAD (A 60.00' RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 (A 200.00 FOOT WIDE RIGHT OF WAY); THENCE NORTH O' 08' 02" EAST ALONG THE SAID EASTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1, A DISTANCE OF 321.08 FEET TO THE POINT OF BEGINNING.

THENCE NORTH O' 08' 02" EAST CONTINUING, ALONG THE SAID EASTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1, A DISTANCE OF 5.00 FEET; THENCE SOUTH 89' 51' 58" EAST, DEPARTING SAID EASTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1 A DISTANCE OF 5.00 FEET; THENCE SOUTH O' 08' 02" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 89' 51' 58" WEST, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

> LAST FIELD DATE: N/A FIELD BOOK AND PAGE: N/A PROJECT NO: 1117-001 DRAWING NO. 1117-001-Layout.dwg SHEET 1 OF 2

1. BEARINGS BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF KENT ROAD, AS BEING IN 89'54'50" W.
2. THIS SURVEY WAS CONDUCTED FOR THE PURPOSE TO GRAPHICALLY DEPICT SKETCH AND DESCRIPTION ONLY AND IS NOT INTENDED TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY,
3. UNDERGROUND UTILITIES HAYE NOT BEEN LOCALED EXCEPT WHERE WISIBLE SURFACE EVIDENCE EXISTS.
4. NOT ABSTRACTED FOR EASEMENTS, NO ABSTRACT OF TILE FURNISHED,
5. THIS IS A TWO PAGE DOCUMENT. NOT VALID UNLESS BOTH PAGES ARE PRESENT.

THIS SURVEY IS CERTIFIED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON AND IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER OF FLORIDA SHOWN HERFOIL

THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTERS 5J-17.051 & 5J-17.052 F.A.C.

Digitally signed by 28 hert D Albert D Bradshaw Bradshawne OF SKONATURE Date: 2024.05.20 16:08:29 -04'00'

BRADSHAW-NILES and ASSOCIATES, INC.

SURVEYING AND MAPPING CONSULTANTS LICENSED BUSINESS No. 6824 3520 LEWIS SPEEDWAY ST. AUGUSTINE, FLORIDA 32084 (904) 829-2591 FAX: (904) 829-5070

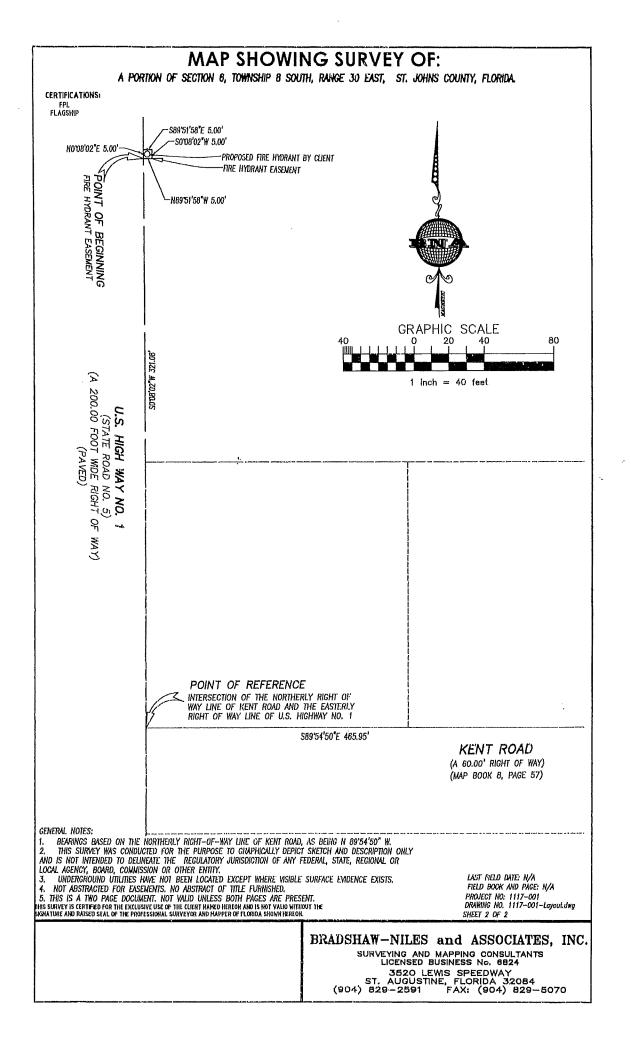


Exhibit "B" to the Resolution

ST. JOHNS COUNTY UTILITY DEPARTMENT

3F - CLOSEOUT - BILL OF SALE

PROJECT: St. Augustine Storage - UTILITY 2024000089

ESS-FLAGSHIP ST AUGUSTINE FL SUB LLC, a Delaware limited liability company, with an address of 2795 E. Cottonwood Parkway, Salt Lake City, Utah 84121,

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 caus	ed this instrument to be duly executed and delivered by
its duly authorized office on this 21 of 1	Inc, 2024.
	ESS-FLAGSHIP ST, AUGUSTINE FL SUB
WITNESS:	OWNER: LLC, a Delaware limited liability company
Music Lindrug	and the second
Witness Signature C	Owner Signafure
Suzie Lindsey	SVMD G Mc Neg , Manager
Witness Print Name √ C	Owner Print Name
STATE OF UTAH	
COUNTY OF SALT LAKE	
online notarization, this 21 day of JUNE	fore me by means of XXX physical presence or, 20 24, by
Cawyn Goodson McNegl	as MANAGER for
ESS-FLAGSHIP ST. AUGUSTINE FL SUB LLC	
	Notary Public /
	My Commission Expires: 02/06/2025
Personally Known or Produced Identification	
Type of Identification Produced	
	COURTNEY KELLER Notary Public, State of Utah
	Commission # 715660 My Commission Expires On

February 06, 2025

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

Project Name:

Contractor: Developer: St. Augustine Storage

ESS-Flagship St. Augustine FL SOB LLC

				
	UNIT	QUANITY	UNIT COST	TOTAL COST
Water Mains (Size, Type & Pipe Class)				
6" PUC C-900 (Hational)	LF	31	\$ 43,40	\$ 1,345 - 40
8" PUL C-900 (Mational)	LF	16	\$ 51,20	\$ 819 -20
2" Polyethylene (ENDOT	LF	12	\$ 23,00	\$ 276 -00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
Water Valves (Size and Type)				
6" Tapping Value (Mueller	\ Ea	1	\$ 960.00	\$ 960-00
6" Gate value (Mueller) 8" Gate Value (Mueyer)	Ea	1	\$ 1520.00	\$ 1520 -00
	Ea)	\$ 1780.00	\$ 1780-00
2" Corporation Stop (AY)	Ea	1	\$ 310.00	\$ 310 -00
1" Curb Stop (Ford)	Ea		\$ 340.00	\$ 340 -00
Hydrants Assembly (Size and Type)				
Accessories for relocate	Ea		\$ -	\$ -
existing hydrant: 8x6 MJ	tee Ea	1	\$ 1020.00	\$ 1020 -00
(2) 8" m's sleeves.	Ea		\$ -	\$ -
Sevices (Size and Type)				
6" Fire Supply	Ea	1	\$ 1190.00	\$ 1190-00
2" Potable	Ea	1	\$ 97000	\$ 970-00
	Ea		\$ -	\$ -
	Ea	***************************************	\$ -	\$ -
	7.7.000	Total Water	System Cost	\$ 10,530 - 40

ST. JOHNS COUNTY UTILITY DEPARTMENT ASSET MANAGEMENT SCHEDULE OF VALUES - SEWER St. Augustine Storage ID Weber Construction Project Name: Contractor: Ess-Flagship St. Augustine FL SOB Developer: LLC UNIT QUANITY **UNIT COST** TOTAL COST Force Mains (Size, Type & Pipe Class) 2" Polyethylene (EMDOT) LF 38 23.00 874.00 LF \$ \$ LF \$ \$ LF \$ \$ LF \$ Sewer Valves (Size and Type) 2" Corporation (A474704B) Ea \$ 310,00 \$ 310-00 Ea \$ Ea \$ \$ Ea \$ \$ Ea \$ \$ Gravity Mains (Size, Type & Pipe Class) LF \$ LF \$ \$ LF \$ \$ LF \$ \$ Laterals (Size and Type) EA \$ \$ EA \$ \$ EA \$ \$ EA \$ \$ Manholes (Size and Type) 4-6 foot deep EA \$ \$ 6-8 foot deep EA \$ \$ 8-10 foot deep EA \$ \$ _ 10-12 foot deep EA \$ \$ -_ > 12 foot deep EA \$ \$ \$ \$ \$ \$ Lift Station Mechanical Equipment Lump Sum \$ \$ Process Piping Lump Sum \$ \$ Process Structure Lump Sum \$ \$ Process Electrical Equipment Lump Sum \$ \$ Other Improvements Lump Sum \$ \$

Total Sewer System Cost

1184

-190

Exhibit "C" to the Resolution



Type of Identification Produced

ST. JOHNS COUNTY UTILITY DEPARTMENT 3C - CLOSEOUT - RELEASE OF LIEN UTILITY IMPROVEMENTS

\$11,714.40 The undersigned lienor, in consideration of the sum hereby waives and releases its lien and right to claim a lien for Water, Sewer, and Reclaimed Water labor, services or materials furnished through 06/20-2024 (Developer's/Owner's Name) Date to the following described property: "SEE EXHIBIT A SCHEDULE OF VALUES FOR Schedule of Values attached. \$ 11,714,40 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 day of Scione WITNESS: SCOTT LEFFLER Print Witness Name STATE OF COUNTY OF The foregoing instrument was acknowledged before me by means of physical presence or online Notary Public My Commission Expires: Personally Known or Produced Identification

Notary Public State of Florida

Kelley L Picklesimer
My Commission HH 381229
Expires 6/30/2027

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

Project Name: Contractor: Developer: St. Augustine Storage

ESS-Flagship St. Augustine FL SOB LLC

	UNIT	QUANITY	UNIT COST	TOTAL COST	
Water Mains (Size, Type & Pipe Class)					
6" PUC C-900 (Hational)	LF	31	\$ 43,40	\$ 1,345 - 40	
8" PUC C-900 (Mational)	LF	16	\$ 51,20	\$ 819 -20	
2" Polyethylene (ENDOT	LF	12	\$ 23,00	\$ 276 - 00	
' '	LF		\$ -	\$ -	
	LF		\$ -	\$ -	
Water Valves (Size and Type)					
6" Tapping Value (Muell	Ea Ea	\	\$ 960.00	\$ 960-00	
6" Gate value (Mueuer) 8" Gate Value (Mueuer)	Ea	١	\$ 1520.00	\$ 1520 -00	
	Ea	1	\$ 1780,00	\$ 1780-00	
2" Corporation Stop (AY)	Ea)	\$ 310.06	\$ 310 -00	
1" Curb Stop (Ford)	Ea	1	\$ 340,00	\$ 340 -00	
Hydrants Assembly (Size and Type)					
Accessories for relocate			\$ -	\$ -	
existing hydrant: 8x6 M		1	\$ 1020.00	\$ 1020 -00	
(2) 8" mt sleeves.	Ea		\$ -	\$ -	
Sevices (Size and Type)					
6" Fire Supply	Ea	<u> </u>	\$ 1190.00	\$ 1190-00	
2" Potable	Ea	1	\$ 917000	\$ 970-00	
	Ea		\$ -	\$ -	
	Ea		-	\$ -	
		Total Water	System Cost	\$ 10,530 - 40	

ST. JOHNS COUNTY UTILITY DEPARTMENT ASSET MANAGEMENT SCHEDULE OF VALUES - SEWER St. Augustine Storage JD Weber Construction Project Name: Contractor: Developer: Ess-Playship St. Augustine FL SOB LLC UNIT QUANITY UNIT COST TOTAL COST Force Mains (Size, Type & Pipe Class) 2" Polyethylene (ENDOT) LF 23.00 38 874.00 LF \$ \$ LF \$ \$ LF \$ \$ LF \$ \$ Sewer Valves (Size and Type) 2" Corporation (A474704B) Ea \$ 310,00 \$ 310-00 Ea \$ \$ Ea \$ \$ Ea \$ \$ Ea \$ \$ Gravity Mains (Size, Type & Pipe Class) LF \$ \$ LF \$ \$ LF \$ \$ LF \$ \$ Laterals (Size and Type) EA \$ \$ EA \$ \$ EA \$ \$ EA \$ \$ -Manholes (Size and Type) 4-6 foot deep EΑ \$ \$ 6-8 foot deep EA \$ \$ 8-10 foot deep EA \$ \$ 10-12 foot deep EA \$ \$ > 12 foot deep EA \$ \$ \$ \$ \$ \$ Lift Station Mechanical Equipment Lump Sum \$ Process Piping Lump Sum \$ \$ Process Structure Lump Sum \$ \$ Process Electrical Equipment Lump Sum \$ \$ Other Improvements Lump Sum \$ \$

Total Sewer System Cost

\$ 1184 -00

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

Date:	06-20-2024	
Project Title:	St. Augustine Storage	-
FROM:	JD Weber Construction Co.	-
	Contractor's Name	-
Address:	150 Business Center Dr.	_
	Ormond Beach, FL 32174	-
то;	St. Johns County Utility Department Post Office Box 3006 St. Augustine, Florida 32085	-
defects in mat	erial and workmanship for a period of	connection with the above project to be free from al f(1) year from the date of acceptance of the project is arising with that period at its expense.
	cts shall not be construed as embracin wear and tear or failure to follow opera	g damage arising from misuse, negligence, Acts of ating instructions.
Contractor:		
Joe Weber J	r	
Print Contract		ctor's Signature
	or or think	otor to biginatare
STATE OF	Florida	
COUNTY OF		
COUNTION	1010914	
The foregoing	instrument was acknowledged before zation, this 25th day of 5000	me by means of physical presence or, 2024_, by
, X	,	rrasidont for
ZJ Mopa	er Construction Co.	, ,
		Kalley Yicklesimon
		Notary Publish My Commission Expires: 6 30 2027
		My Commission Expires. wf 30 [aca /
	own or Produced Identification fication Produced	Notary Public State of Florida Kelley L PicklesImer My Commission HH 381229 Expires 8/30/3027



Exhibit "E" 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:

September 30, 2024

SUBJECT:

St. Augustine Storage (ASBULT 2024000089)

St. Johns County Utility Department has reviewed and approved the Easement, 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 St. Augustine Storage.

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: 10/8/2024

St. Augustine Storage

Easement, Bill of Sale, Final Release of Lien and Warranty



Land Management Systems

(904) 209-0798

<u>Disclaimer:</u>
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.