

RESOLUTION NO. 2025- 232

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR UTILITIES FOR WATER TO SERVE TAKE 5 OIL CHANGE LOCATED AT 100 MCCOY WAY.

RECITALS

WHEREAS, Driven Brands, Inc., has executed and presented to St. Johns County, an Easement for Utilities for a water system to serve Take 5 Oil Change located at 100 McCoy Road, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof;; and

WHEREAS, the Easement for Utilities is given upon the County’s request to allow for future maintenance of underground water meters for water; and

WHEREAS, it is in the best interest of the County to accept the Easement for Utilities for the health, safety and welfare of its citizens; and

WHEREAS, St. Johns County Utility Department has reviewed and approved the documents mentioned above, as stated in a memo attached hereto as Exhibit “B” 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 is hereby accepted by the Board County Commissioners.

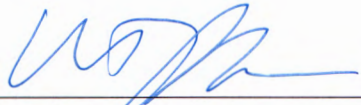
Section 3. The Clerk is instructed to record the original Easement for Utilities in the public records of St. Johns County, Florida.

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.

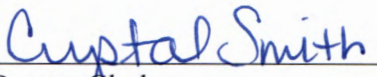
**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA, this 22nd day of July, 2025.**

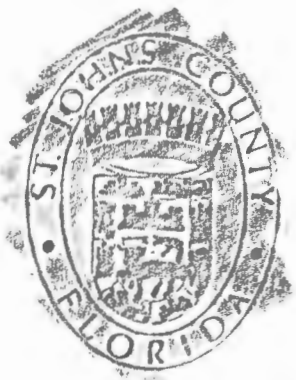
**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

Rendition Date JUL 24 2025

By: 
Krista Joseph, Chair

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

By: 
Deputy Clerk



EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this 26th day of March, 2025
by Driven Brands, Inc., with an address of
440 S. Church Street, Suite 700, Charlotte, NC 28202, 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 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.

Driven Brands, Inc. By: Anthony Winchester,
Vice President - Legal, Real Estate

Signed, sealed and
delivered In the
presence of:

[Signature]
Witness

By: [Signature]
Its: Vice President - Legal, Real Estate

Cheryl Gottmann
Print Name
440 S. Church Street, Suite 700
Charlotte, NC 28202

Witness Address REQUIRED BUSINESS OR PERSONAL

Miranda Pender
Witness

Miranda Pender
Print Name
440 S. Church Street, Suite 700
Charlotte, NC 28202
Witness Address REQUIRED BUSINESS OR PERSONAL

STATE OF ~~FLORIDA~~ NORTH CAROLINA
COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me by means
of physical presence or online notarization, this 26th day of
March, 2025, ~~2024~~, by Anthony Winchester
as Vice President - Legal, Real Estate
for Driven Brands, Inc.

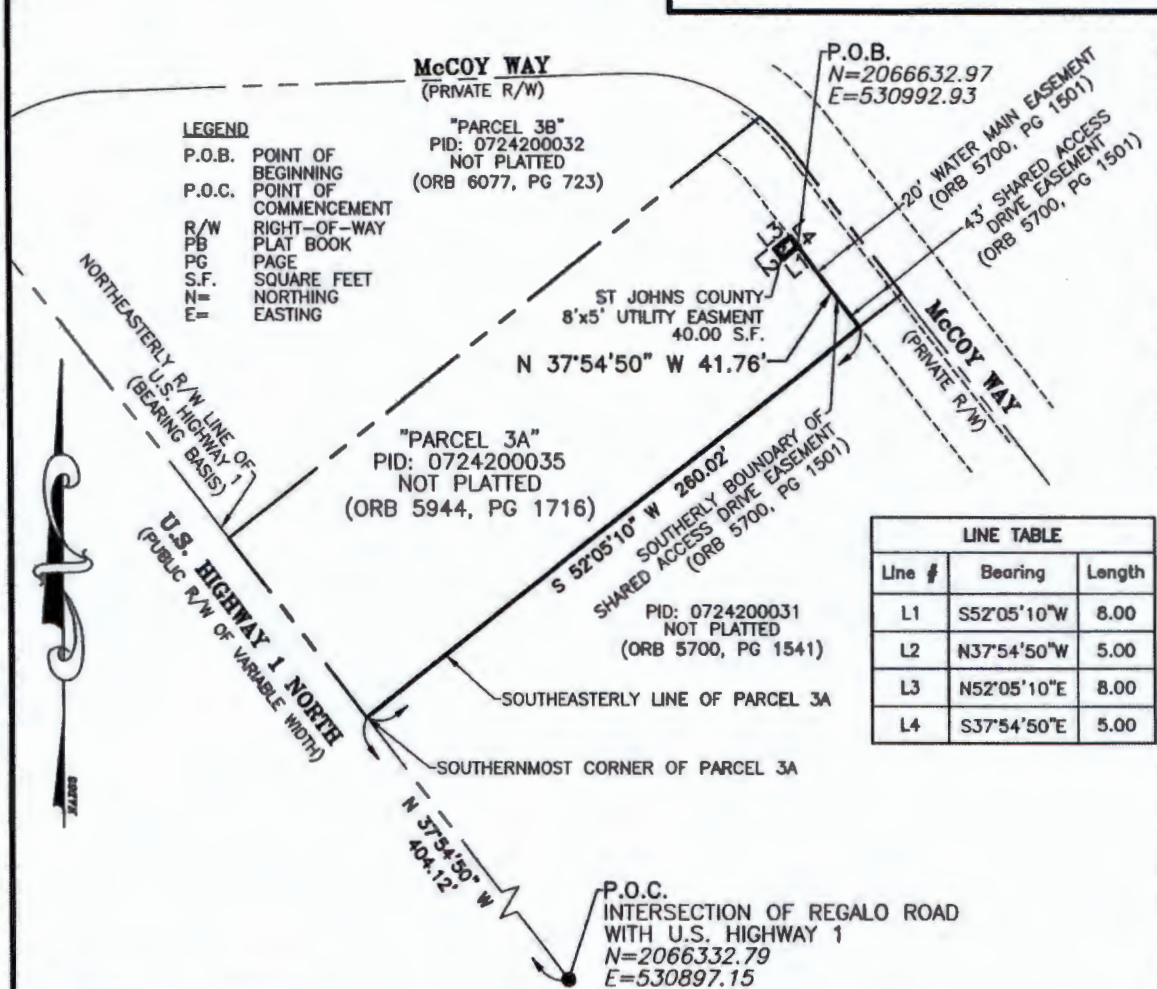
LEAH TATE
Notary Public, North Carolina
Mecklenburg County
My Commission Expires
May 13, 2029

[Signature]
Notary Public Leah Tate
My Commission Expires: May 13, 2029

Personally Known or Produced Identification
Type of Identification Produced

SKETCH OF DESCRIPTION

EXHIBIT 'A'



DESCRIPTION OF SKETCH:

A CERTAIN TRACT OF LAND BEING A PART OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, AND ALSO BEING A PART OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5944, PAGE 1716 OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF REGALO ROAD (A 60 FOOT RIGHT-OF-WAY AS PRESENTLY ESTABLISHED, FORMERLY KNOWN AS SHANNON ROAD) WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (A 150 FOOT RIGHT-OF-WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 37°54'50" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 404.12 FEET TO THE SOUTHERNMOST CORNER OF "PARCEL 3A" AS DESCRIBED IN OFFICIAL RECORDS BOOK 5944, PAGE 1716, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 52°05'10" EAST, ALONG THE SOUTHEASTERLY BOUNDARY OF SAID "PARCEL 3A" A DISTANCE OF 260.02 FEET TO THE SOUTHERLY BOUNDARY OF A SHARED ACCESS DRIVE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 5700, PAGE 1501, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 37°54'50" WEST, ALONG SAID SOUTHERLY EASEMENT BOUNDARY, A DISTANCE OF 41.76 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 52°05'10" WEST A DISTANCE OF 8.00 FEET; THENCE NORTH 37°54'50" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 52°05'10" EAST A DISTANCE OF 8.00 FEET; THENCE SOUTH 37°54'50" EAST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 50.00 SQUARE FEET, MORE OR LESS.

GENERAL NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO THE MONUMENTED NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, HAVING A BEARING OF NORTH 37°54'50" EAST, AS ESTABLISHED THROUGH REAL TIME NETWORK OBSERVATIONS WITH SURVEY GRADE EQUIPMENT USING GNSS VRS METHOD, CONVERTED USING NCAT (<https://www.ngs.noaa.gov/NCAT/>).
4. EVIDENCE OF ANY COVENANTS AND/OR DEED RESTRICTIONS HAVE NOT BEEN FOUND OR SUPPLIED.
5. PROPERTY SUBJECT TO CHANGES ACCORDING TO THE FACTS AND DOCUMENTS OF RECORD A CURRENT TITLE REPORT MAY DISCLOSE.

AMERICAN LAYOUT SURVEYING
AMERICAN LAYOUT & LAND SURVEYING

933 LEE ROAD, SUITE 402
ORLANDO, FL 32810
TEL: (404) 787-8399

LAND SURVEYING
CONSTRUCTION SURVEYING
www.americansurveyors.us
CERTIFICATE OF AUTHORIZATION #LB8131

4718 sod utility.dwg

DATE: 04/01/2025

SCALE: 1"=60'

DRAWN BY: YB

PROJECT NO. 4718

REVISION	DATE	SHEET NO.
		1 OF 1

I HEREBY AFFIRM THAT THIS MAP OR PLAN PREPARED ON 04/01/2025 REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472 FLORIDA STATUTE. UNLESS THIS SURVEY BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NAMED HEREON, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

ANTHONY MALTESE
License Number LS7020
STATE OF FLORIDA
Professional Surveyor and Mapper

ANTHONY MALTESE,
P.E., P.L.S., P.S.M., P.P., C.M.E.
PROFESSIONAL SURVEYOR AND MAPPER
FL LICENSE # LS7020



**ST. JOHNS COUNTY
UTILITIES**

1205 State Road 16
St. Augustine, Florida 32084

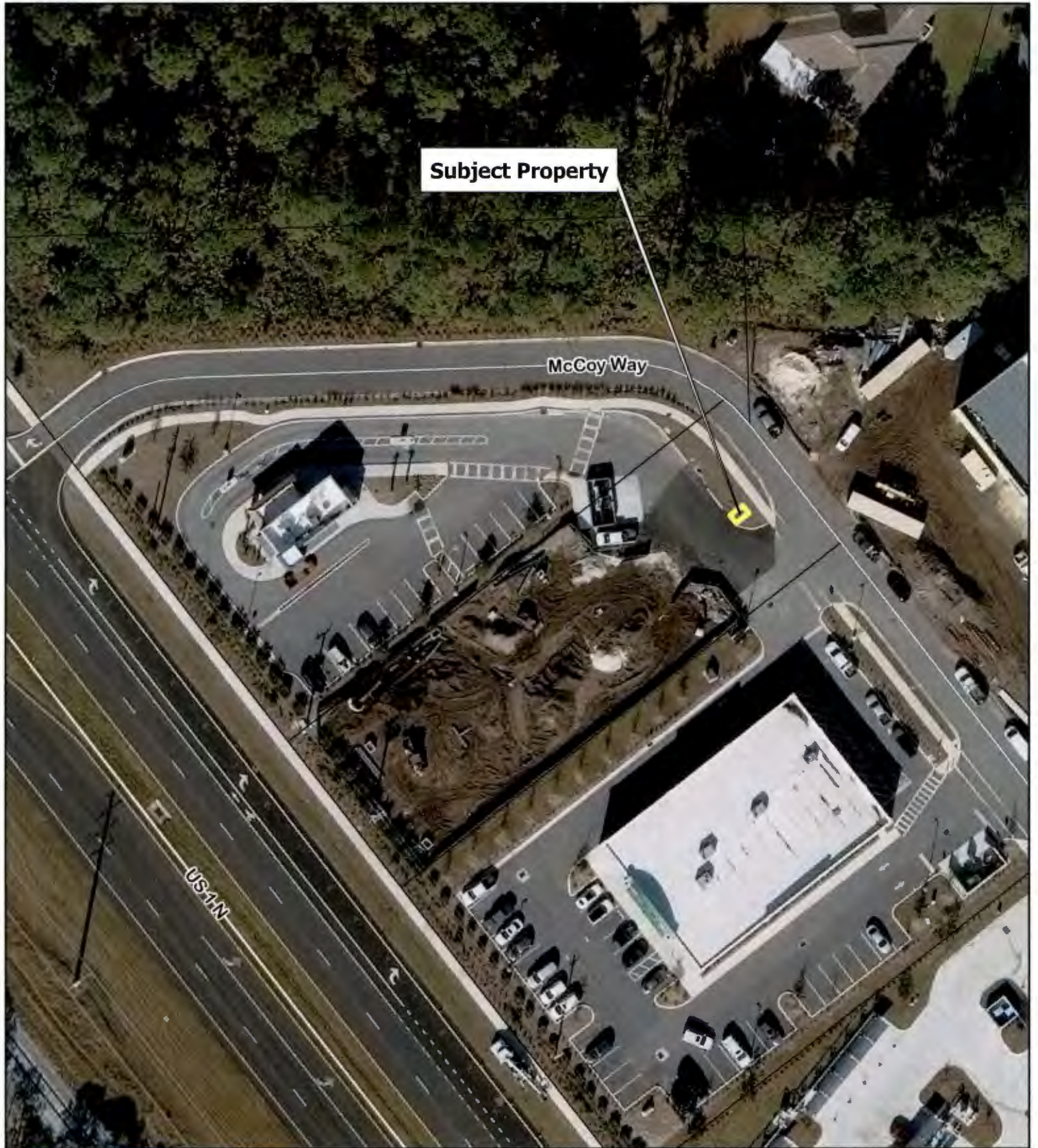
I N T E R O F F I C E M E M O R A N D U M

TO: David Kaufman, Real Estate Manager
FROM: Melissa Caraway, Utility Review Coordinator
DATE: June 2, 2025
SUBJECT: Take 5 Oil Change (ASBULT 2025000050)

St. Johns County Utility Department has reviewed and approved the Easement. Please present the documents to the Board of County Commissioners (BCC) for final approval and acceptance of Take 5 Oil Change.

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 Property

McCoy Way

US-1N



Imagery Date: 12/2024

Date: 6/6/2025

**Take 5 Oil Change
100 McCoy Way and US 1 N
Easement for Utilities**



**Land Management
Systems
Real Estate Division
(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.