

CS-23-356

Prepared By:
Matovina & Company
12443 San Jose Blvd, Ste. 504
Jacksonville, FL 32223
Parcel ID:

TEMPORARY ACCESS AND CONSTRUCTION EASEMENT

THIS TEMPORARY ACCESS AND CONSTRUCTION EASEMENT executed and given this 22nd day of April, 2024 by **PATRIOT RIDGE, LLP**, a Florida limited liability partnership, whose mailing address is 12443 San Jose Boulevard, Suite 504, Jacksonville, FL 32223, hereinafter called "GRANTOR", to **THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose mailing address is 96135 Nassau Place, Suite 1, Yulee, Florida, 32097, hereinafter called "GRANTEE."

WHEREAS, GRANTOR is the owner of certain lands as more particularly described in the attached Exhibit "A" (the "EASEMENT AREA"); and

WHEREAS, GRANTEE seeks and GRANTOR has agreed to grant, subject to the restrictions stated herein the non-exclusive, temporary easement (the "Easement") over the EASEMENT AREA, for access for equipment and construction personnel for completing the construction of a roundabout at the intersection of Harts Road and William Burgess Boulevard (the "Work") and for use as a temporary bypass road as the Work is being performed; and

WHEREAS, GRANTOR reserves for itself, its successors and assigns, the right to use the EASEMENT AREA for any uses which are not inconsistent with the purposes described herein; and

WHEREAS, the GRANTEE, its employees, or its agents, with necessary equipment, are permitted to come upon the EASEMENT AREA to perform the Work and the public is permitted to use the Easement as a bypass road subject to the provisions as hereinafter set forth; and

WHEREAS, the utilization of the EASEMENT AREA serves a public purpose.

WITNESSETH:

That for and in consideration of the mutual covenants and agreements hereinafter contained, the GRANTOR and GRANTEE hereby agree as follows:

1. GRANTOR does hereby dedicate unto GRANTEE a non-exclusive temporary access and construction easement and right-of-way over land, subsurface paths, and courses for the completion of the Work and for use as a bypass road together with rights of ingress and egress to access the EASEMENT AREA as necessary for the use and enjoyment of the Easement herein.

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 the surface and air space over the EASEMENT AREA for any purpose which is consistent with the rights herein granted to GRANTEE; and
- (b) 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 or to be constructed upon the adjacent property owned by GRANTOR.

2. This Easement shall inure to the benefit of and be binding upon GRANTEE and its successors and assigns until said Work is completed as determined by Nassau County. Notwithstanding this or any other provision of the Easement, the Easement shall terminate upon the earlier of the completion of the Work or one year of the date of the recording hereof. Prior to termination of the Easement, GRANTEE shall restore the EASEMENT AREA to substantially the same condition as such area was in prior to the Work being performed, or to such other condition as may otherwise be approved by GRANTOR.

3. For the purposes of the terms and conditions of this Easement, GRANTOR means the owner from time to time of the EASEMENT AREA or any part thereof.

4. This Easement shall run with title and shall be recorded in the official records of Nassau County, Florida.

5. This Easement is to be governed by the laws of Florida in all respects without reference to the laws of any other state or nation. Venue for any action pursuant to this Easement shall be in Nassau County, Florida.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed by its duly authorized officer as of the day and year first above written.

GRANTOR

Signed, sealed and delivered in the presence of:

By: Gregory E. Matovina

Witness: Sharon A. Hudson

Print: Gregory E. Matovina

Print: SHARON A HUDSON

Title: President of Matovina & Company,
Managing Partner

Address: 12443 San Juan Blvd #504
Jacksonville FL 32223

Witness: William R Howell, II

Print: William R Howell, II

Address: 4545 ORTEGA BLVD
JACKSONVILLE, FLORIDA 32210

STATE OF FLORIDA
COUNTY OF DUVAL

I HEREBY CERTIFY that on this day, personally appeared before me, by means of physical presence or online notarization, Gregory E. Matovina, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 13th day of FEBRUARY, 2024



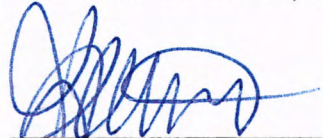
SHARON A. HUDSON
Commission # HH 460421
Expires December 11, 2027

Sharon A. Hudson
Notary Public, State of Florida

ACCEPTANCE

BOARD OF COUNTY COMMISSIONERS

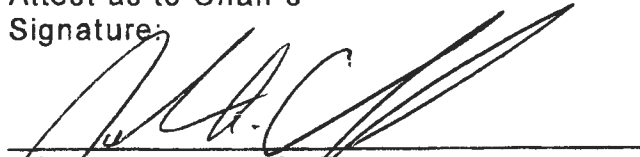
NASSAU COUNTY, FLORIDA



Print Name: John F. Martin

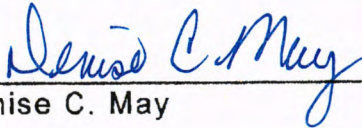
Its: Chairman

Attest as to Chair's
Signature:



JOHN A. CRAWFORD
Its. Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



Denise C. May

EXHIBIT "A"
EASEMENT AREA

MANZIE & DRAKE LAND SURVEYING

SKETCH OF LEGAL DESCRIPTION

(LEGAL DESCRIPTION ATTACHED) (THIS IS NOT A BOUNDARY SURVEY)

P.I.N.=42-2N-27-0000-0003-0060
LANDS OF PATRIOT RIDGE, LLP
O.R.B. 2312, PAGE 1571

HARTS ROAD
80-FOOT RIGHT-OF-WAY

POINT OF BEGINNING
CENTERLINE OF TEMPORARY 34'
INGRESS & EGRESS EASEMENT

CENTRAL ANGLE=031°58'19"
RADIUS=100.00'
ARC LENGTH=55.80'
CHORD BEARING=S72°20'00"E
CHORD DISTANCE=55.08'

S88°19'09"E 179.09'

TEMPORARY 34' EASEMENT
FOR INGRESS & EGRESS
18,727.39 SQUARE FEET

CENTRAL ANGLE=030°21'10"
RADIUS=100.00'
ARC LENGTH=52.98'
CHORD BEARING=S71°31'25"E
CHORD DISTANCE=52.36'

CENTRAL ANGLE=089°09'22"
RADIUS=100.00'
ARC LENGTH=155.61'
CHORD BEARING=S43°44'28"E
CHORD DISTANCE=140.38'

P.I.N.=42-2N-27-0000-0003-0060
LANDS OF PATRIOT RIDGE, LLP
O.R.B. 2312, PAGE 1571

POINT OF COMMENCEMENT
INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE
OF WILLIAM BURGESS BOULEVARD WITH THE EASTERLY
RIGHT-OF-WAY LINE OF HARTS ROAD.

N03°18'00"E 251.76'

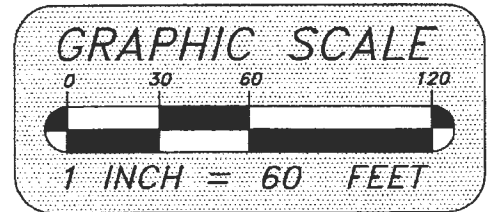
15' DRAINAGE EASEMENT (O.R.B. 1683, PAGE 382)

S00°50'13"W 107.29'

POINT OF TERMINUS
CENTERLINE OF TEMPORARY 34'
INGRESS & EGRESS EASEMENT

WILLIAM BURGESS
BOULEVARD

100' RIGHT-OF-WAY (O.R.B. 1049, PAGE 1753)



LEGEND

O.R.B. = OFFICIAL RECORDS BOOK
P.I.N. = PARCEL IDENTIFICATION NUMBER

JOB NO. 16509-RAB-EASEMENT-2024

117 SOUTH 9TH STREET, FERNANDINA BEACH, FL 32034
OFFICE (904)491-5700 WWW.MANZIEANDDRAKE.COM

MANZIE & DRAKE LAND SURVEYING



LEGAL DESCRIPTION

TEMPORARY 34 FOOT INGRESS / EGRESS EASEMENT

PREPARED FOR MATOVINA & COMPANY

APRIL 10, 2024

A PORTION OF THE JOHN LOWE MILL GRANT, SECTION 42, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING A STRIP OF LAND 34.00 FEET IN WIDTH AND LYING 17.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WILLIAM BURGESS ROAD (A 100 FOOT RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 1049, PAGE 1753, OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA) WITH THE EASTERLY RIGHT-OF-WAY LINE OF HARTS ROAD (AN 80 FOOT RIGHT-OF-WAY AT THIS POINT, AS NOW LAID OUT AND IN USE); THENCE NORTH $03^{\circ}18'00''$ EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID HARTS ROAD, A DISTANCE OF 251.76 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 100.00 FEET AND THE **POINT OF BEGINNING**; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}21'10''$, AN ARC DISTANCE OF 52.98 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH $71^{\circ}31'25''$ EAST A DISTANCE OF 52.36 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $31^{\circ}58'19''$, AN ARC DISTANCE OF 55.80 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH $72^{\circ}20'00''$ EAST A DISTANCE OF 55.08 FEET; THENCE SOUTH $88^{\circ}19'09''$ EAST A DISTANCE OF 179.09 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}09'22''$, AN ARC DISTANCE OF 155.61 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH $43^{\circ}44'28''$ EAST A DISTANCE OF 140.38 FEET; THENCE SOUTH $00^{\circ}50'13''$ WEST A DISTANCE OF 107.29 FEET TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WILLIAM BURGESS ROAD AND THE TERMINUS OF SAID CENTERLINE.

THE SIDELINES OF THE ABOVE DESCRIBED EASEMENT SHALL BE LENGTHENED OR SHORTENED AS NECESSARY IN ORDER TO MAINTAIN A CONTINUOUS STRIP OF LAND 34 FEET IN WIDTH AND TO INTERSECT EXISTING EASEMENTS, RIGHTS-OF-WAY, PROPERTY LINES OR OTHER INSTRUMENTS OF RECORD AS MAY BE APPLICABLE.

A handwritten signature in blue ink, reading "Michael A. Manzie".

MICHAEL A. MANZIE, P.L.S.
FLORIDA REGISTRATION NO. 4069
JOB NO. 16509