

**5****AGENDA ITEM  
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS***Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting***3/17/2020****BCC MEETING DATE****TO:** Hunter S. Conrad, County Administrator**DATE:** February 11, 2020**FROM:** Gail Oliver, Land Management Systems Department**PHONE:** 904 209-0770**SUBJECT OR TITLE:** A resolution accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer systems to serve Zaxby's Restaurant located off State Road 16.**AGENDA TYPE:** Consent Agenda, Resolution**BACKGROUND INFORMATION:**

NLCDS St. Augustine, LLC, has executed and presented to the County a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer systems to serve Zaxby's Restaurant located off State Road 16. Pavcore "LLC", has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Zaxby's Restaurant located off State Road 16. St. Johns County Utility Department has reviewed the documents mentioned above and requests final approval by the BOCC, as stated in a memo attached hereto.

**1. IS FUNDING REQUIRED?** No**2. IF YES, INDICATE IF BUDGETED.** No**IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:****INDICATE FUNDING SOURCE:****SUGGESTED MOTION/RECOMMENDATION/ACTION:**

Motion to adopt Resolution 2020-\_\_\_\_\_, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer systems to serve Zaxby's Restaurant located off State Road 16.

**For Administration Use Only:****Legal:** RDR 3/2/2020**OMB:** N/A**Admin:** Brad Bradley 3/4/2020

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEMS TO SERVE ZAXBY'S RESTAURANT LOCATED OFF STATE ROAD 16.**

**RECITALS**

**WHEREAS**, NLCDS St. Augustine, LLC, a Florida limited liability company, has executed and presented to the County a Bill of Sale and 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 sewer systems to serve Zaxby's Restaurant located off State Road 16; and

**WHEREAS**, Pavecore "LLC", a Florida limited liability company, has executed and presented to the County a Final Release of Lien and a Warranty for work performed at Zaxby's Restaurant located off State Road 16, 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 and Schedule of Values, 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 original 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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

By: \_\_\_\_\_  
Jeb S. Smith, Chair

**ATTEST:** Brandon Patty, Clerk

By: \_\_\_\_\_  
Deputy Clerk



**BILL OF SALE**  
**UTILITY IMPROVEMENTS**  
**for**  
**ZAXBY'S**

NLCDS ST. AUGUSTINE, LLC (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 ZAXBY'S"

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 11<sup>th</sup> day of December, 2019.

**WITNESS:**

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Witness Name

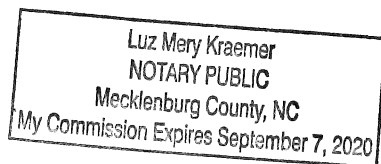
**OWNER:**

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
John R. Shell, Jr.  
Print Owner's Name

State of NC  
County of Mecklenburg

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 2019, by John Robert Shell Jr. who is personally known to me or has produced NIC DL as identification.



\_\_\_\_\_  
Notary Public



**St. Johns County Utility Department**  
 Asset Management  
 Schedule of Values

Project Name:	Zaxby's SR-16 & Harvest Ln
Contractor:	Pavecore, LLC
Developer:	Centurion Development Services, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Water Mains (Size, Type &amp; Pipe Class)</b>				
2" DR9 HDPE	LF	10	\$ 42.10	\$ 421.00
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Water Valves (Size and Type)</b>				
16"x16"x2" Tapping Valve	Ea	1	\$ 980.00	\$ 980.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Hydrants Assembly (Size and Type)</b>				
5-1/4 VO WB67 Hydrant	Ea	1	\$ 2,995.00	\$ 2,995.00
			\$ -	\$ -
			\$ -	\$ -
<b>Sevices (Size and Type)</b>				
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
			\$ -	\$ -
Total Water System Cost			\$	4,396.00



**St. Johns County Utility Department**  
 Asset Management  
 Schedule of Values

Project Name:	Zaxby's SR-16 & Harvest Ln
Contractor:	Pavecore, LLC
Developer:	Centurion Development Services, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
<b>Force Mains (Size, Type &amp; Pipe Class)</b>				
2" DR9 HDPE	LF	20	\$ 34.32	\$ 686.40
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Sewer Valves (Size and Type)</b>				
8"x8"x2" Tapping Valve	Ea	1	\$ 869.00	\$ 869.00
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
	Ea		\$ -	\$ -
<b>Gravity Mains (Size, Type &amp; Pipe Class)</b>				
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
	LF		\$ -	\$ -
<b>Laterals (Size and Type)</b>				
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
	EA		\$ -	\$ -
<b>Manholes (Size and Type)</b>				
4-6 foot deep	EA		\$ -	\$ -
6-8 foot deep	EA		\$ -	\$ -
8-10 foot deep	EA		\$ -	\$ -
10-12 foot deep	EA		\$ -	\$ -
> 12 foot deep	EA		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Lift Station</b>				
			\$ -	\$ -
Mechanical Equipment	Lump Sum		\$ -	\$ -
Process Piping	Lump Sum		\$ -	\$ -
Process Structure	Lump Sum		\$ -	\$ -
Process Electrical Equipment	Lump Sum		\$ -	\$ -
Other Improvements	Lump Sum		\$ -	\$ -
<b>Total Sewer System Cost</b>			<b>\$</b>	<b>1,555.40</b>



**FINAL RELEASE OF LIEN**

**UTILITY IMPROVEMENTS**

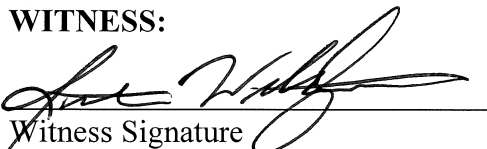
The undersigned lienor, in consideration of the sum \$5,951.40 hereby waives and releases its lien and right to claim a lien for Water and Sewer labor, services or materials furnished through 11/27/2019 to Centurion Development Services, LLC. to the following described property:

“SEE EXHIBIT A SCHEDULE OF VALUES FOR Zaxby’s SR-16 & Harvest Ln  
(*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.

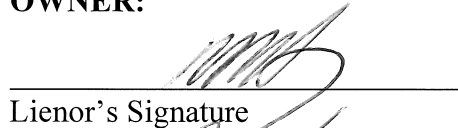
**IN WITNESS WHEREOF**, the Lienor has caused this instrument to be duly executed and delivered by its duly authorized office on this 17 of 12, 2019.

**WITNESS:**

  
Witness Signature

Justin Weitzel  
Print Witness Name

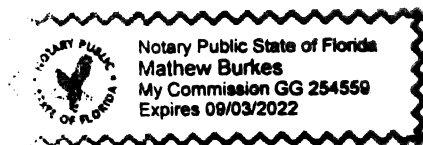
**OWNER:**

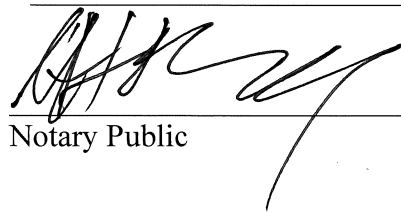
  
Lienor’s Signature

Michael Harvey  
Print Lienor’s Name

State of Florida  
County of Clay

The foregoing instrument was acknowledged before me this 17 day of December, 2019, by Michael Harvey who is personally known to me or has produced \_\_\_\_\_ as identification.



  
Notary Public



# St. Johns County Utility Department

## Asset Management

### Schedule of Values

Project Name:

Zaxby's SR-16 &amp; Harvest Ln

Contractor:

Pavecore, LLC

Developer:

Centurion Development Services, LLC

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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Total Water System Cost			\$	4,396.00





**St. Johns County Utility Department**  
Asset Management  
Schedule of Values

Project Name:	<u>Zaxby's SR-16 &amp; Harvest Ln</u>
Contractor:	<u>Pavecore, LLC</u>
Developer:	<u>Centurion Development Services, LLC</u>

	UNIT	QUANTITY	UNIT COST	TOTAL COST
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> 12 foot deep	EA		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
<b>Lift Station</b>				
Mechanical Equipment	Lump Sum		\$ -	\$ -
Process Piping	Lump Sum		\$ -	\$ -
Process Structure	Lump Sum		\$ -	\$ -
Process Electrical Equipment	Lump Sum		\$ -	\$ -
Other Improvements	Lump Sum		\$ -	\$ -
<b>Total Sewer System Cost</b>			<b>\$</b>	<b>1,555.40</b>



**WARRANTY**  
**UTILITY IMPROVEMENTS**

Date: November 25, 2019

Project Title: Zaxby's Restaurant  
St. Johns County, Florida

FROM: Venture Construction Company  
5660 Peachtree Industrial Blvd.  
Norcross, GA 30071

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.

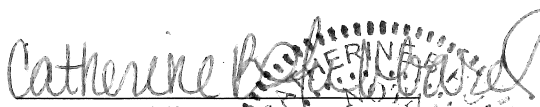
Contractor:


  
\_\_\_\_\_  
Contractor's Signature

E. Ray Morris  
\_\_\_\_\_  
Print Contractor's Name

State of GEORGIA  
County of WINNETT

The foregoing instrument was acknowledged before me this 26TH day of November, 2019 by E. Ray Morris who is personally known to me or has produced n/a as identification.

  
\_\_\_\_\_  
Notary Public





## St. Johns County Board of County Commissioners

Utility Department

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### INTEROFFICE MEMORANDUM

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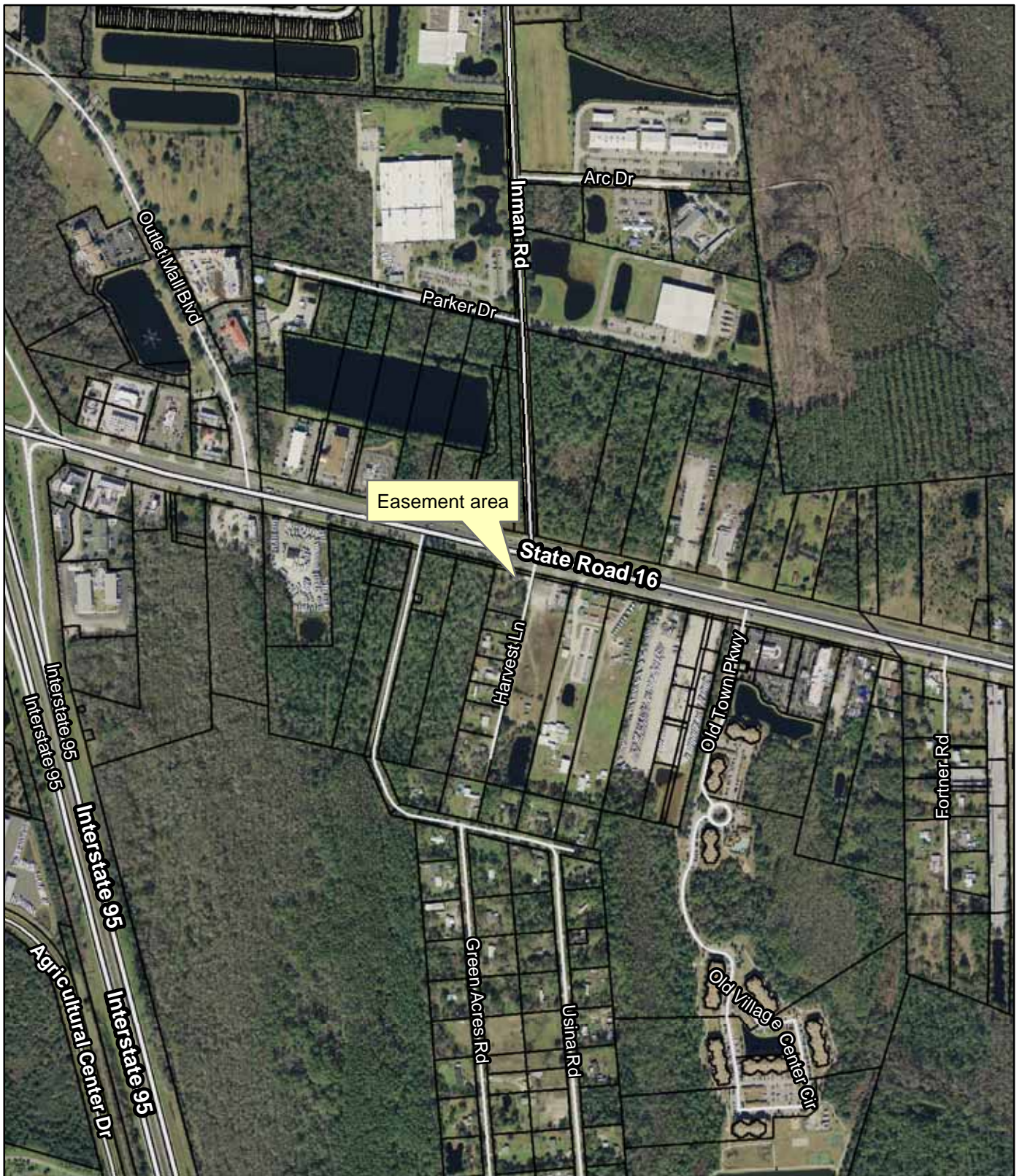
TO: Debbie Taylor, Real Estate Manager  
FROM: Melissa Caraway, Utility Review Coordinator  
SUBJECT: Zaxby's Restaurant/Harvest Ln & SR 16  
DATE: February 11, 2020

Please present the Bill of Sale, Schedule of Values, Release of Lien, and Warranty to the Board of County Commissioners (BCC) for final approval and acceptance of Zaxby's Restaurant/Harvest Ln & SR 16.

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.





2019 Aerial Imagery

0 160 320 640  
Feet

Date: 2/11/2020

# Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty

Zaxby's Restaurant

Land Management  
Systems  
Real Estate  
Division  
(904) 209-0782

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.

