

Prepared by:  
School Board of Clay County Attorney

After Recording Return to:  
School Board of Clay County, Florida  
900 Walnut Street  
Green Cove Springs, Florida 32043

**Project:** PRJ100283- CR315 Widening-Willow Springs Adjacent to Spring Park Elementary

**Tax Parcel ID No.:** Portion of 31-05-26-014455-000-00

**Address:** 3530 County Rd. 315  
Green Cove Springs, FL 32043

### **TEMPORARY CONSTRUCTION EASEMENT**

**THIS TEMPORARY CONSTRUCTION EASEMENT** (“Easement Agreement”) is made this \_\_\_\_\_ day of \_\_\_\_\_ 2023, by and between **THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA**, whose address is 900 Walnut Street, Green Cove Springs, FL 32043 (“Grantor”), and **CLAY COUNTY**, a political subdivision of the State of Florida, the address of which is P.O. Box 1366, Green Cove Springs, FL 32043 its successors and assigns, (“Grantee”).

#### **RECITALS:**

Grantor is the owner of certain real property in Clay County, Florida (“Grantor's Property”) which abuts certain roadway improvements at County Road 315, adjacent to Spring Park Elementary School (the “Project”). In conjunction with the Project, the Grantee desires to acquire and the Grantor desires to grant an easement, right, and privilege to enter upon that portion of the Grantor’s Property as more particularly described on *Exhibit “A”* attached hereto and incorporated herein (the “Easement Areas”) for construction purposes.

**NOW, THEREFORE**, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations and the covenants and promises of the parties hereto, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, it is thereupon understood and agreed as follows:

1. The foregoing recitals are true and correct and hereby incorporated into and made a part of this Easement Agreement.

2. Grantor hereby grants to the Grantee, its employees, agents, engineers, contractors and other representatives (“Grantee’s User’s”) the right and easement to enter upon the Easement Area with equipment, vehicles, and materials and to perform all construction work related to the Project as Grantee deems necessary or prudent, including, without limitation, clearing; grubbing; excavation; sloping; grading; storage of materials and equipment; relocation of utilities;

**This easement has been executed and delivered in lieu of condemnation and is not subject to documentary stamp tax. See, Department of Revenue Rules 12B-4.013(4) and 12B-4.014(13), F.A.C.; and see, Florida Department of Revenue v. Orange County, 620 So.2d 991 (Fla. 1993)**

reconfiguration of sidewalks, driveways, and drainage; and all other work to conform and harmonize the Easement Area and improvements thereon with Grantor's adjoining property (the "Work").

3. The easement granted herein shall be for a term beginning upon the commencement date of the Work and ending upon completion of the Project (but in any event not to exceed forty-eight (48) calendar months after the commencement of the Work).

4. Grantor covenants that Grantor is the true and lawful owner in fee title of the Grantor's Property, has authority and control over the Grantor's Property, and has good right and full power to enter this Easement Agreement and grant this Easement without consent or approval of any other person or party.

5. Grantor acknowledges and agrees that as of the date of Grantor's execution and delivery of this Easement Agreement, Grantor hereby remises, releases, and forever discharges the Grantee, of and from all, and all manner of action and actions, cause and causes of action for any claim for loss relating to Grantor's affected interest, severance damages, business damages or any other similar damages; provided, such release shall not release Grantee from any damages caused by the negligence or intentional wrongdoing of Grantee or Grantee's Users.

**IN WITNESS WHEREOF**, this Easement Agreement has been executed this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

**SIGNED, SEALED AND DELIVERED IN OUR PRESENCE:**

**THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA**

\_\_\_\_\_  
Print name: \_\_\_\_\_

By: \_\_\_\_\_  
Ashley Gilhousen, Its Chair

\_\_\_\_\_  
Print name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF CLAY

The foregoing instrument was acknowledged before me by means of ( ) physical presence or ( ) online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Ashley Gilhousen, on behalf of, and as Chair of, The School Board of Clay County, Florida, a political subdivision of the State of Florida. She is ( ) personally known to me or ( ) produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature  
Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
(SEAL)

( ) Online Notary (Check if acknowledgment done by Online Notarization)

LEGAL DESCRIPTION  
SOUTH ENTRANCE

A PORTION OF LAND LYING IN PARCEL ID: 31-05-26-014455-000-00  
CLAY COUNTY, FLORIDA



VICINITY MAP

(NOT TO SCALE)

LEGAL DESCRIPTION

A PORTION OF PARCEL NO: 31-05-26-014455-000-00, LYING IN SECTION 6, TOWNSHIP 6 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF PARCEL ID 06-06-26-014455-004-00 THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 3729, PAGE 53 OF THE PUBLIC RECORDS OF CLAY COUNTY; THENCE NORTH 00° 24' 28" WEST ALONG THE EAST LINE OF SAID OFFICIAL RECORD BOOK 3729 PAGE 53 A DISTANCE OF 132.00 FEET; THENCE DEPARTING SAID EAST LINE NORTH 89° 35' 32" EAST A DISTANCE OF 35.00 FEET TO THE WESTERLY EXISTING RIGHT OF WAY OF COUNTY ROAD 315 (AN 80 FOOT RIGHT OF WAY PER FDOT SECTION MAP 71507-2601); THENCE SOUTH 00° 24' 28" EAST ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 132.00 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY SOUTH 89° 35' 32" WEST A DISTANCE OF 35.00 FEET TO THE **POINT OF BEGINNING**.

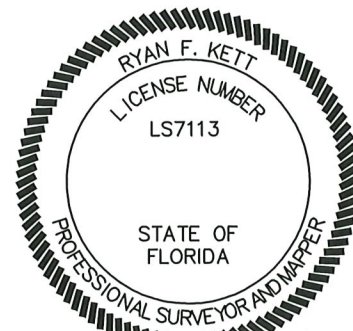
PARCEL CONTAINING 4,620 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE", AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050 THROUGH 5J-17.053, OF THE FLORIDA ADMINISTRATIVE CODE.
2. ADDITIONS OR DELETIONS TO SKETCH BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. COPYRIGHT © 2022 BY WGI, INC.
4. THIS SKETCH DOES NOT HAVE THE BENEFIT OF A CURRENT TITLE COMMITMENT, OPINION, OR ABSTRACT. DURING THE COURSE OF THE LEGAL DESCRIPTION AND SKETCH SOME SEARCHES OF THE PUBLIC RECORDS WERE MADE, BUT THESE SEARCHES WERE NOT EXHAUSTIVE AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR A PROPER TITLE COMMITMENT, OPINION, OR ABSTRACT OBTAINED FROM A TITLE AGENCY OR OTHER TITLE PROFESSIONAL.
5. THE FOLLOWING DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS SKETCH:
  - 5.1. OFFICIAL RECORDS BOOK 3729, PAGE 53
  - 5.2. OFFICIAL RECORDS BOOK 4088, PAGE 1182
  - 5.3. FDOT SECTION NO. 71507-2601ALL OF THE PUBLIC RECORDS CLAY COUNTY, FLORIDA.
6. THIS SKETCH DELINEATES THE LOCATIONS OF THE LEGAL DESCRIPTIONS ON THE GROUND, BUT DOES NOT DETERMINE

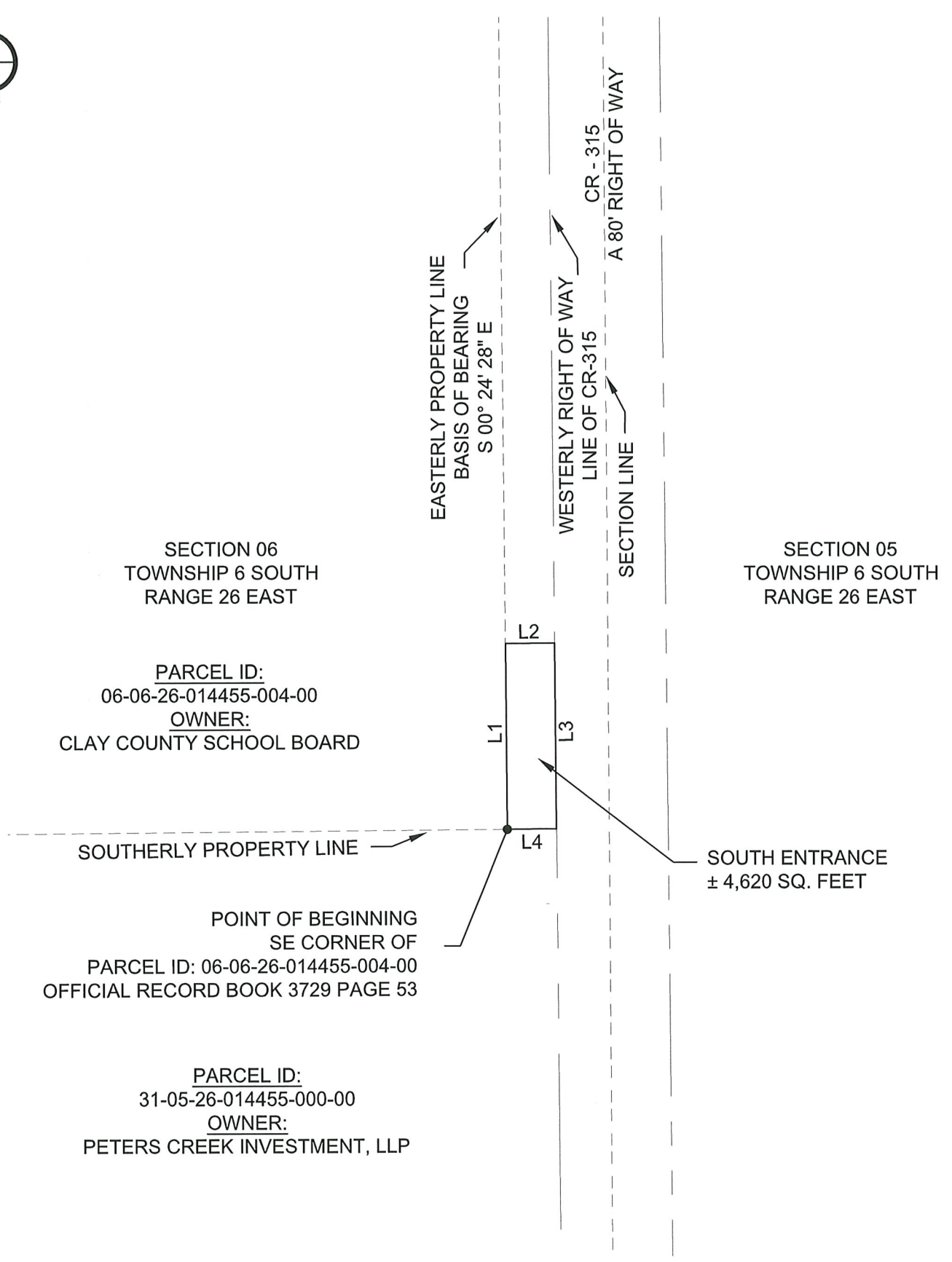
PREPARED FOR/  
CERTIFIED TO:

CLAY COUNTY



# LEGAL DESCRIPTION SOUTH ENTRANCE

A PORTION OF LAND LYING IN PARCEL ID: 31-05-26-014455-000-00  
CLAY COUNTY, FLORIDA



SECTION 06  
TOWNSHIP 6 SOUTH  
RANGE 26 EAST

PARCEL ID:  
06-06-26-014455-004-00  
OWNER:  
CLAY COUNTY SCHOOL BOARD

SECTION 05  
TOWNSHIP 6 SOUTH  
RANGE 26 EAST

POINT OF BEGINNING  
SE CORNER OF  
PARCEL ID: 06-06-26-014455-004-00  
OFFICIAL RECORD BOOK 3729 PAGE 53

PARCEL ID:  
31-05-26-014455-000-00  
OWNER:  
PETERS CREEK INVESTMENT, LLP

SOUTH ENTRANCE  
± 4,620 SQ. FEET

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION

LEGAL DESCRIPTION  
NORTH ENTRANCE

A PORTION OF LAND LYING IN PARCEL ID: 31-05-26-014455-000-00  
CLAY COUNTY, FLORIDA



VICINITY MAP

(NOT TO SCALE)

LEGAL DESCRIPTION

A PORTION OF PARCEL NO: 31-05-26-014455-000-00, LYING IN SECTION 31, TOWNSHIP 5 SOUTH, RANGE 26 EAST, AND SECTION 6, TOWNSHIP 6 SOUTH, RANGE 26 EAST, CLAY COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF PARCEL ID 06-06-26-014455-004-00 THEREOF, AS RECORDED IN OFFICIAL RECORD BOOK 3729, PAGE 53 OF THE PUBLIC RECORDS OF CLAY COUNTY; THENCE NORTH 89° 35' 32" EAST A DISTANCE OF 35.01 FEET TO THE WESTERLY EXISTING RIGHT OF WAY OF COUNTY ROAD 315 (AN 80 FOOT RIGHT OF WAY PER FDOT SECTION MAP 71507-2601) AND NON-TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 11499.16 FEET; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD 315 AND ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 00°55'09", AN ARC DISTANCE OF 184.50 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 00°18'22" WEST, 184.50 FEET; THENCE DEPARTING THE WESTERLY EXISTING RIGHT OF WAY OF SAID COUNTY ROAD 315 SOUTH 89° 35' 32" WEST A DISTANCE OF 35.00 FEET TO EAST LINE OF SAID OFFICIAL RECORD BOOK 3729 PAGE 53 AND NON-TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 11534.16 FEET; THENCE ALONG THE SAID EAST LINE AND ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 00°54'59", AN ARC DISTANCE OF 184.50 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 00°18'14" EAST, 184.50 FEET TO THE **POINT OF BEGINNING**.

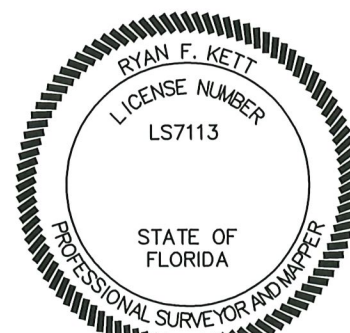
PARCEL CONTAINING 6,457 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE", AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050 THROUGH 5J-17.053, OF THE FLORIDA ADMINISTRATIVE CODE.
2. ADDITIONS OR DELETIONS TO SKETCH BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
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4. THIS SKETCH DOES NOT HAVE THE BENEFIT OF A CURRENT TITLE COMMITMENT, OPINION, OR ABSTRACT. DURING THE COURSE OF THE LEGAL DESCRIPTION AND SKETCH SOME SEARCHES OF THE PUBLIC RECORDS WERE MADE, BUT THESE SEARCHES WERE NOT EXHAUSTIVE AND SHOULD NOT BE CONSIDERED A SUBSTITUTE FOR A PROPER TITLE COMMITMENT, OPINION, OR ABSTRACT OBTAINED FROM A TITLE AGENCY OR OTHER TITLE PROFESSIONAL.
5. THE FOLLOWING DOCUMENTS WERE UTILIZED IN THE PREPARATION OF THIS SKETCH:
  - 5.1. OFFICIAL RECORDS BOOK 3729, PAGE 53
  - 5.2. OFFICIAL RECORDS BOOK 4088, PAGE 1182
  - 5.3. FDOT SECTION NO. 71507-2601
 ALL OF THE PUBLIC RECORDS CLAY COUNTY, FLORIDA.
6. THIS SKETCH DELINEATES THE LOCATIONS OF THE LEGAL DESCRIPTIONS ON THE GROUND, BUT DOES NOT DETERMINE

PREPARED FOR/  
CERTIFIED TO:

CLAY COUNTY



# LEGAL DESCRIPTION NORTH ENTRANCE

A PORTION OF LAND LYING IN PARCEL ID: 31-05-26-014455-000-00  
CLAY COUNTY, FLORIDA

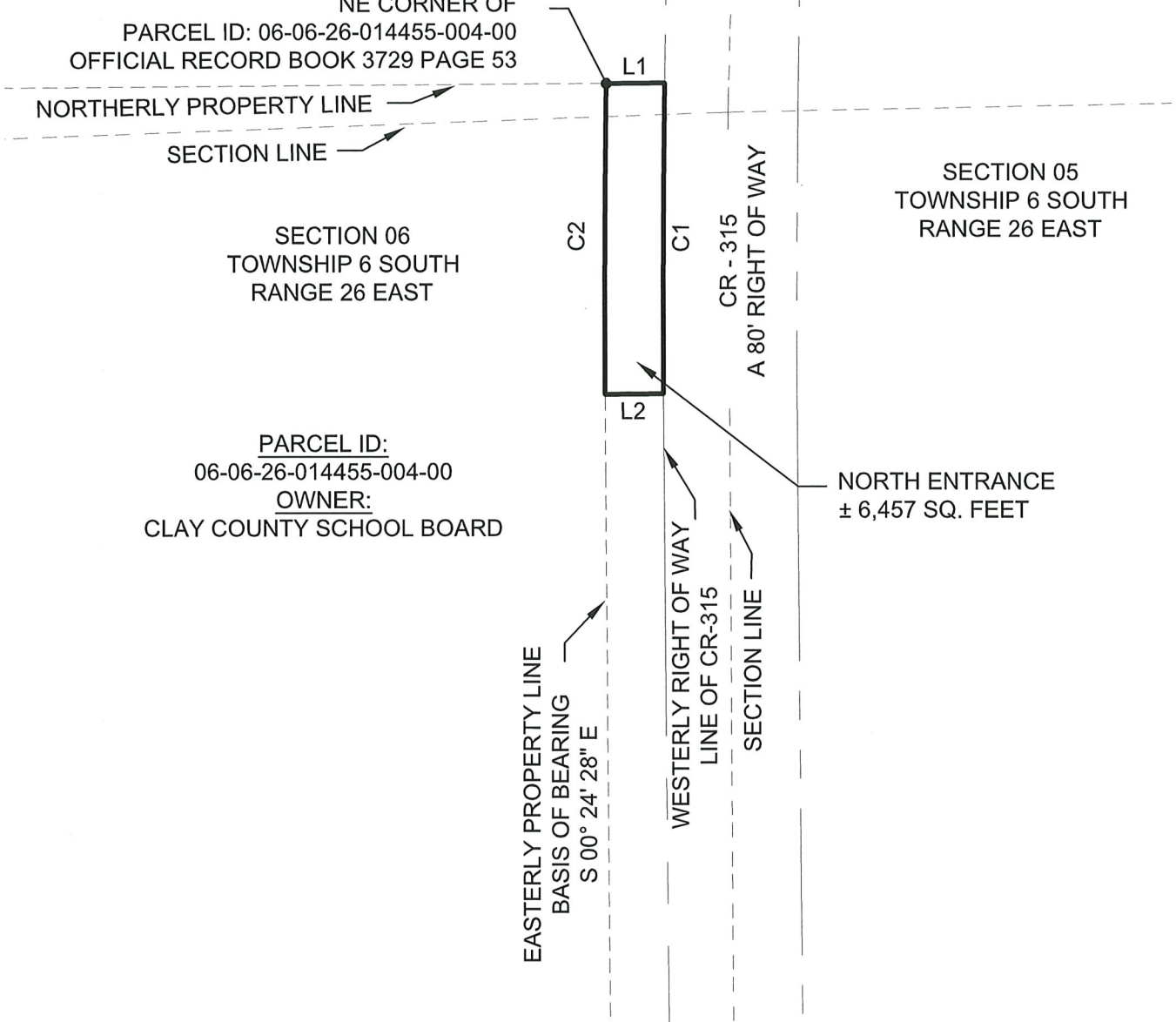


SECTION 31  
TOWNSHIP 5 SOUTH  
RANGE 26 EAST

PARCEL ID:  
31-05-26-014455-000-00  
OWNER:  
PETERS CREEK INVESTMENT, LLP

SECTION 32  
TOWNSHIP 5 SOUTH  
RANGE 26 EAST

POINT OF BEGINNING  
NE CORNER OF  
PARCEL ID: 06-06-26-014455-004-00  
OFFICIAL RECORD BOOK 3729 PAGE 53



SECTION 06  
TOWNSHIP 6 SOUTH  
RANGE 26 EAST

SECTION 05  
TOWNSHIP 6 SOUTH  
RANGE 26 EAST

PARCEL ID:  
06-06-26-014455-004-00  
OWNER:  
CLAY COUNTY SCHOOL BOARD

NORTH ENTRANCE  
± 6,457 SQ. FEET

PARCEL LINE TABLE

LINE #	LENGTH	DIRECTION

PARCEL CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH