

RESOLUTION NO. 90- 186

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF CERTAIN PROPERTIES FROM C. R. USINA AND EXECUTION OF A CERTAIN AGREEMENT RELATING TO SECURITY ON SUCH PROPERTY; SAID PROPERTY BEING NECESSARY FOR THE CONSTRUCTION AND MAINTENANCE OF AN UNDERGROUND WATER TRANSMISSION LINE IN ST. JOHNS COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County, Florida, a political subdivision of the State of Florida, hereinafter called "County," has received an offer to deed certain property necessary for the County's construction and maintenance of all or part of an underground water transmission line in St. Johns County, Florida, from C. R. USINA, and

WHEREAS, the County is desirous of accepting the proposed Deed offered by the said C. R. USINA upon the terms and conditions contained therein, a copy of such proposed Deed being attached hereto.

NOW, THEREFORE, be it RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. The County accepts the aforementioned Deed as offered by C. R. USINA upon the terms and conditions contained therein.

Section 2. By its acceptance of such proposed Deed, the County agrees:

a. To pay the following costs involved in the conveyance of said property from C. R. USINA to County:

- i. Title Insurance.
- ii. Cost of preparation of the Deed.
- iii. Cost of recording the Deed.
- iv. Any other charges which may be levied necessary to the recording of the Deed.

Section 3. That for and in partial consideration for the conveyance to the County, the County agrees to enter

into an Agreement with C. R. USINA relating to security of C. R. USINA's adjacent properties, a copy of such proposed Agreement being attached hereto.

Section 4. The Chairman of the Board of County Commissioners, St. Johns County, Florida, and the Clerk of the Circuit Court for St. Johns County, ex-officio Clerk of the Board of County Commissioners, St. Johns County, Florida, or his designated Deputy Clerk, be, and they are hereby, authorized and directed to duly execute the original of such Contract.

Section 5. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 30th day of October, A. D., 1990.

ST. JOHNS COUNTY, FLORIDA

By: *Crawford Maguire*  
Chairman of the Board of  
County Commissioners of  
St. Johns County, Florida

ATTEST:

*Paul-Burl-Martin*  
Clerk of the Circuit Court for  
St. Johns County, ex officio  
Clerk of the Board of County  
Commissioners, St. Johns  
County, Florida



A G R E E M E N T

THIS AGREEMENT, made and entered into this 22 day of October, A. D., 1990, by and between ST. JOHNS COUNTY, a political subdivision of the State of Florida ("COUNTY"), and CHARLES R. USINA ("USINA").

## W I T N E S S E T H:

WHEREAS, COUNTY is desirous of obtaining from USINA certain land situate in St. Johns County, Florida viz:

Property as described in Exhibit "A" attached hereto and made a party hereof by reference.

to be used for construction and maintenance of all or part of an underground water transmission line; and

WHEREAS, USINA is willing to deed to COUNTY said property; and

WHEREAS, said property is adjacent to properties belonging to USINA; and

WHEREAS, USINA has located on his adjacent properties certain fences and gates to prevent trespass by the general public; and

WHEREAS, USINA has expressed concerns that the general public might trespass upon his remaining adjacent properties if the gates are not kept closed and desires assurances from COUNTY that it will endeavor to keep such gates closed except for ingress and egress of its employees and contractors.

NOW, THEREFORE, the parties mutually agree as follows:

1. That COUNTY will install dual locks on the existing three gates.

2. That COUNTY will serve any employee or contractor who is furnished a key with notice that such gates shall be immediately locked upon entering on or departing from properties to be conveyed to COUNTY by USINA.

3. That upon the execution of this Agreement by the parties, USINA will execute a deed conveying to COUNTY the above referenced properties in substantially the form attached.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first written above.

Signed, sealed and delivered ST. JOHNS COUNTY, FLORIDA in the presence of:

Amy B. Mulligan  
Witness as to County

By: Craig A. Maguire  
Chairman

Catherine C. Sullivan  
Witness as to County

ATTEST:  
Paul B. Marshall  
Clerk of the Circuit Court for St. Johns County, ex officio Clerk of the Board of County Commissioners, St. Johns County, Florida

"COUNTY"

James B. Franier  
Witness as to Usina

Charles R. Usina

Mark King  
Witness as to Usina

"USINA"

A part of Sections 8, 17 and 18, Township 7 South, Range 29 East, St. Johns County, Florida, and being a strip of land 20 feet in width lying 10 feet each side of the following described centerline. For a point of reference, commence at the intersection of the centerline of Agricultural Center Road (a 100 foot right of way as now established) with the Southerly line of the lands described in Official Records Volume 732 pages 436 and 437 of said County; thence North 76°06'51" West, along said southerly line, a distance of 45.42 feet to a point lying 10 feet easterly of a southerly projection of the westerly right of way line of said Agricultural Center Road and to the point of beginning; thence South 14°23'04" East, parallel with said Southerly projection, a distance of 21.51 feet to the point of curvature of a curve concave to the West and having a radius of 646.92 feet, thence run southerly along the arc of said curve, a distance of 343.77 feet, making a central angle of 30°26'47" and having a chord bearing of South 00°50'19" West, and a chord distance of 339.74 feet to the point of tangency of said curve; thence South 16°03'43" West, a distance of 100.00 feet to the point of curvature of a curve concave to the east and having a radius of 726.92 feet; thence Southerly along the arc of said curve, a distance of 386.28 feet, making a central angle of 30°26'47" and having a chord bearing of South 00°50'19" West and a chord distance of 381.75 feet to the point of tangency of said curve; thence South 14°23'04" East, a distance of 0.17 feet; thence South 76°36'56" West, a distance of 1892.05 feet; thence South 61°00'31" West, a distance of 288.67 feet; thence South 84°25'50" West, a distance of 376.01 feet; thence South 71°48'38" West, a distance of 1495.60 feet; thence South 17°53'40" East, a distance of 163.98 feet; thence South 09°13'58" East, a distance of 2928.46 feet; thence South 06°11'58" East, a distance of 540 feet, more or less to the South line of said Section 18 and the centerline of a 20 foot easement as described in Official Records Volume 404 Page 249 of the Public Records of said County and point of terminus of said 20 foot strip.

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FILED AND RECORDED IN  
PUBLIC RECORDS OF  
ST. JOHNS COUNTY, FLA.

90 NOV - 5 AM 11: 16

Carl "Bunk" Munkie  
CLERK OF CIRCUIT COURT

VERIFIED BY  
*[Signature]*

Prepared by:  
Geoffrey B. Dobson  
66 Cuna Street  
St. Augustine, Florida

WARRANTY DEED

THIS WARRANTY DEED made the 22<sup>nd</sup> day of ~~August~~ <sup>October</sup>, A. D., 1990 by CHARLES R. USINA, conveying his non-homestead property, hereinafter called the grantor, to ST. JOHNS COUNTY, a political subdivision of the State of Florida, whose postoffice address is c/o Clerk of Courts, St. Johns County Courthouse, St. Augustine, Florida, 32084, hereinafter called the grantee:

(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, for so long as the same shall be used for the construction and maintenance of all or part of an underground water transmission line, all that certain land situate in St. Johns County, Florida, viz:

Property as described in Exhibit "A" attached hereto and made a part hereof by reference.

PROVIDED, HOWEVER, that grantee shall not permit the general public to use said premises for ingress and egress.

PROVIDED, FURTHER, that grantee shall not cause or permit any construction which in any way obstructs drainage from grantor's remaining adjoining properties.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1989.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Geoffrey B. Dobson  
Witness

Charles R. Usina  
CHARLES R. USINA

[Signature]  
Witness

Documentary Tax Pd. \$ 55  
Intangible Tax Pd. \$ 00  
Carl "Bud" Markel, Clerk St. Johns County By: DM D.C.

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared CHARLES R. USINA to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

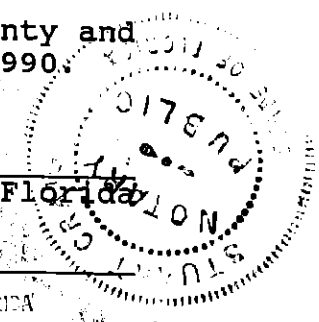
WITNESS my hand and official seal in the County and State last aforesaid this 22 day of ~~August~~, A. D., 1990.  
October

*Stuart Lane*

Notary Public, State of Florida  
at Large.

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC, STATE OF FLORIDA  
My Commission Expires Mar. 12, 1994



A part of Sections 8, 17 and 18, Township 7 South, Range 29 East, St. Johns County, Florida, and being a strip of land 20 feet in width lying 10 feet each side of the following described centerline. For a point of reference, commence at the intersection of the centerline of Agricultural Center Road (a 100 foot right of way as now established) with the Southerly line of the lands described in Official Records Volume 732 pages 436 and 437 of said County; thence North  $76^{\circ}06'51''$  West, along said southerly line, a distance of 45.42 feet to a point lying 10 feet easterly of a southerly projection of the westerly right of way line of said Agricultural Center Road and to the point of beginning; thence South  $14^{\circ}23'04''$  East, parallel with said Southerly projection, a distance of 21.51 feet to the point of curvature of a curve concave to the West and having a radius of 646.92 feet, thence run southerly along the arc of said curve, a distance of 343.77 feet, making a central angle of  $30^{\circ}26'47''$  and having a chord bearing of South  $00^{\circ}50'19''$  West, and a chord distance of 339.74 feet to the point of tangency of said curve; thence South  $16^{\circ}03'43''$  West, a distance of 100.00 feet to the point of curvature of a curve concave to the east and having a radius of 726.92 feet; thence Southerly along the arc of said curve, a distance of 386.28 feet, making a central angle of  $30^{\circ}26'47''$  and having a chord bearing of South  $00^{\circ}50'19''$  West and a chord distance of 381.75 feet to the point of tangency of said curve; thence South  $14^{\circ}23'04''$  East, a distance of 0.17 feet; thence South  $76^{\circ}36'56''$  West, a distance of 1892.05 feet; thence South  $61^{\circ}00'31''$  West, a distance of 288.67 feet; thence South  $84^{\circ}25'50''$  West, a distance of 376.01 feet; thence South  $71^{\circ}48'38''$  West, a distance of 1495.60 feet; thence South  $17^{\circ}53'40''$  East, a distance of 163.98 feet; thence South  $09^{\circ}13'58''$  East, a distance of 2928.46 feet; thence South  $06^{\circ}11'58''$  East, a distance of 540 feet, more or less to the South line of said Section 18 and the centerline of a 20 foot easement as described in Official Records Volume 404 Page 249 of the Public Records of said County and point of terminus of said 20 foot strip.

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Chas. "Bud" Minter  
CLERK OF CIRCUIT COURT