

RESOLUTION NO. 2023- 292

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A PARTIAL ASSIGNMENT OF EASEMENT ALONG USINA ROAD EXTENSION.**

**RECITALS**

**WHEREAS**, a property owner has executed and presented to the County a Partial Assignment of Easement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, for installation, maintenance and repair of water, sewer and reuse lines under, over and across Usina Road Extension located off State Road 16; and

**WHEREAS**, this property is ideally located to allow for an easement to redirect the reclaimed water from the State Road 16 Water Reclamation Facility to the Northwest service area to avoid constructing a new transmission main along the State Road 16 congested utility corridor; and

**WHEREAS**, this new transmission main will provide regional water quantity and water quality benefits by offsetting groundwater demands that would be used for irrigation purposes and greatly reduce the surface water discharge from the State Road 16 Facility to Cowen Swamp, a tributary of Moultrie Creek and the Matanzas River; and

**WHEREAS**, it is in the best interest of the County to accept this Partial Assignment of Easement for the health, safety and welfare of the citizens located within this service area.

**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.

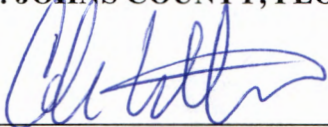
Section 2. The above-described Partial Assignment of Easement, attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

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 Partial Assignment of Easement in the Public Records of St. Johns County, Florida.

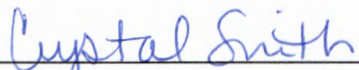
PASSED AND ADOPTED this 15<sup>th</sup> day of August, 2023.

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

BY:   
Christian Whitehurst, Chair

Rendition Date AUG 15 2023

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

  
Deputy Clerk



## EXHIBIT "A" TO RESOLUTION

Prepared By:  
St. Johns County  
500 San Sebastian View  
St. Augustine, FL 32084

### PARTIAL ASSIGNMENT OF EASEMENT

**THIS PARTIAL ASSIGNMENT OF EASEMENT** is given as of the 11<sup>th</sup> day July, 2023, by **JAMES E. BEDSOLE, TRUSTEE OF THE GABYE LEE USINA LIVING TRUST DATED SEPTEMBER 12, 1992, AS AMENDED, AND PERSONAL REPRESENTATIVE OF THE ESTATE OF GABYE LEE USINA, DECEASED**, whose mailing address is 2450 Old Moultrie Road, Suite 104, St. Augustine, Florida 32086 (“Assignor”) to **ST. JOHNS COUNTY**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 (“Assignee”).

### **WITNESSETH:**

Assignor is the holder of certain easement rights reserved unto Assignor in that certain Drainage Easement dated August 27, 1965, recorded in Official Records Book 76 Page 1, subsequently amended in that certain Quit Claim Deed dated October 4, 1965, recorded in Official Records Book 80 Page 55 of the public records of St. Johns County, Florida, and which describes the real property described on Exhibit “A” attached hereto (hereinafter referred to as the “Drainage Easement”).

That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Assignee, the receipt and sufficiency of which are acknowledged, Assignor hereby assigns, in part, unto Assignee 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 distribution system, gravity sewer collection system, sewer force mains, reuse and all other equipment and appurtenances as may be necessary or convenient for the operation of the underground water and sewer utility services over and upon the real property described in the Drainage Easement, 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 conveyance is subject to covenants, restrictions, and easements of record.

**TO HAVE AND TO HOLD** the same in perpetuity, Assignor covenants with Assignee that it has the right and legal authority to assign the above-described rights provided in the Drainage Easement. Assignee by the acceptance hereof does not acknowledge, incur, accept or agree to the assumption of any obligation or maintenance of the road, the right-of-way or drainage ditch referenced in said Drainage Easement.

**IN WITNESS WHEREOF**, this Assignment has been executed as of the date first above written.

Signed, sealed and delivered  
In the presence of:

**ASSIGNOR**

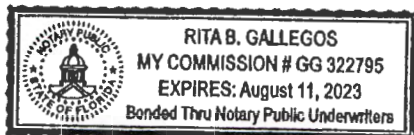
Brendan W. New  
Print Name BRENDAN NEW

By: [Signature]  
Print Name: JAMES E. BEDSOLE  
Title: Trustee and Personal Representative

Rita B. Gallegos  
Print Name RITA B. GALLEGOS

**STATE OF FLORIDA**  
**COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11th day of July, 2023, by JAMES E. BEDSOLE, Trustee of the Gabye Lee Usina Living Trust dated 9/12/1992, as amended and Personal Representative of the Estate of Gabye Lee Usina, who is personally known to me or has produced (pers. known) as identification.

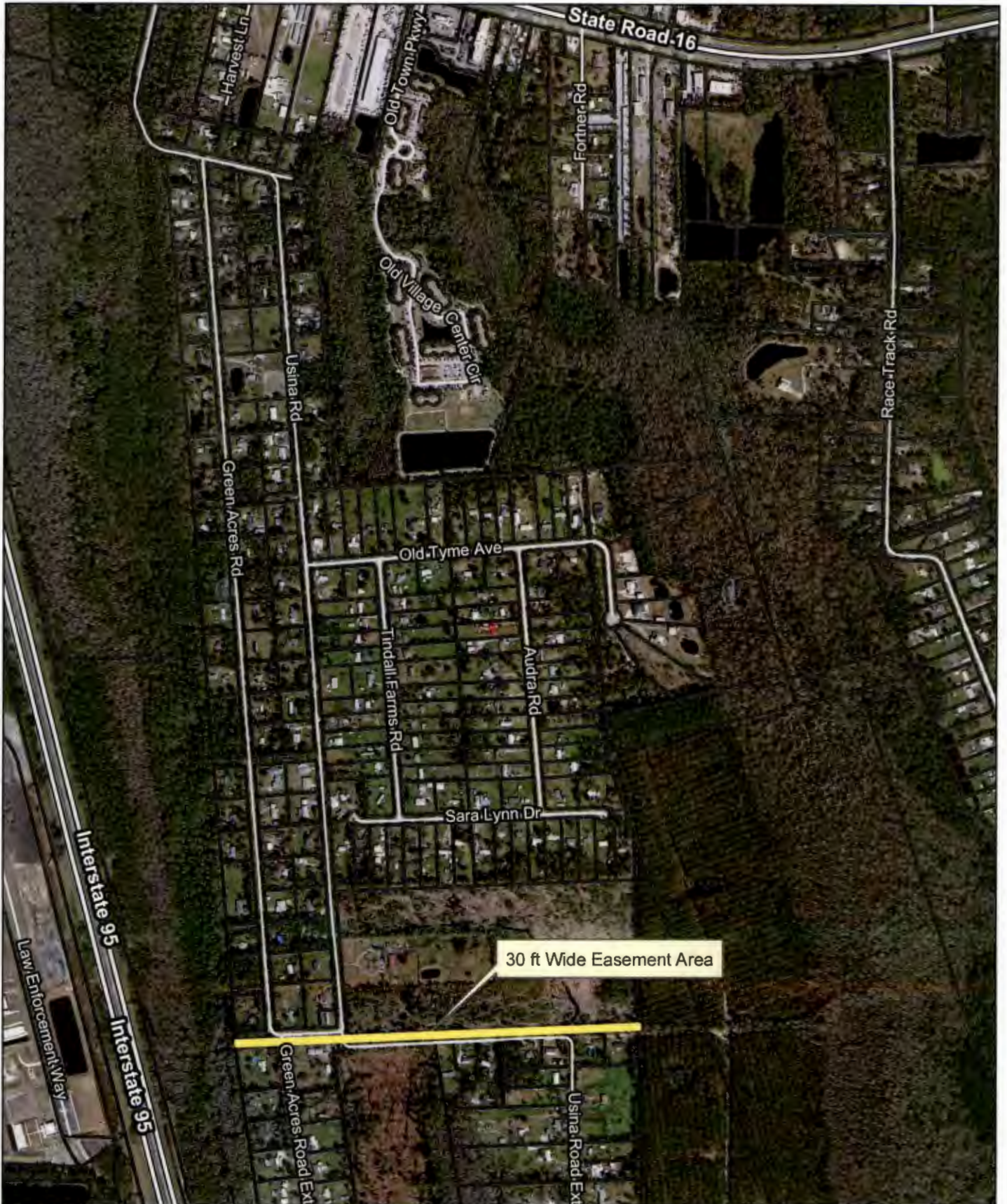


Rita B. Gallegos  
Notary Public: State of Florida  
RITA B. GALLEGOS  
Printed Name of Notary Public  
Commission expires: 8/11/2023

## EXHIBIT "A"

A strip of land 30' in width in Section 17, Township 7 South, Range 29 East lying within 15' of a center line described as follows:

Commence at the Northwest corner of Section 17, Township 7 South, Range 29 East as established by the State Road Department of Florida, thence South  $28^{\circ} 08'$  E 2148.33 feet; thence S  $28^{\circ} 45'$  E 778.23 feet; thence N  $86^{\circ} 12'$  E 1163.73 feet; thence N  $84^{\circ} 18'$  E 195.43 feet; thence S  $8^{\circ} 45'$  E 22.96 feet to a concrete monument; thence N  $3^{\circ} 35' 30''$  W to the center of a drainage ditch and the point of beginning; thence along the centerline of said ditch run N  $87^{\circ} 11'$  E to the East line of Section 17 and the end of said centerline.



Partial Assignment of Easement  
*Usina Road Extension*

Land Mgmt. Systems  
 Real Estate Division  
 209-0764

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.

