

RESOLUTION NO. 2020- 176

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A TEMPORARY ASSIGNMENT OF EASEMENT FROM ST. JOHNS COUNTY TO JEA AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE ASSIGNMENT ON BEHALF OF THE COUNTY.

RECITALS

WHEREAS, St. Johns County (“County”) is owner and holder of certain utility easement rights reserved in Resolution No. 2004-4 that vacated a portion of Ponte Vedra Boulevard; and

WHEREAS, JEA has existing utilities that require maintenance that are located within the reserved easement area; and

WHEREAS, the County desires to temporarily assign its rights to JEA by executing a Temporary Assignment of Easement, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, to allow for the required maintenance as provided for in said Resolution; and

WHEREAS, it is in the best interest of the County to approve the Temporary Assignment of Easement for the health, safety and welfare of its citizens.

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 into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby approves the Temporary Assignment of Easement and authorizes the Chair of the Board to execute the Assignment on behalf of the County.

Section 3. The Clerk is instructed to record the original Temporary Assignment of Easement in the public records of St. Johns County, Florida.

Section 4. To the extent that there are typographical and/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.

PASSED AND ADOPTED by the Board of County Commissioners this 19th day of May, 2020.

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

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

ATTEST: Brandon Patty, Clerk

By: Pam Halterman
Deputy Clerk

Rendition Date: 5/21/20



This Instrument Prepared by:

Brian Dawes, Esq.
Edwards Cohen
200 W. Forsyth Street, Suite 1300
Jacksonville, Florida 32202

TEMPORARY ASSIGNMENT OF EASEMENT

THIS TEMPORARY ASSIGNMENT OF EASEMENT ("Assignment") is made as of the _____ day of _____, 2020, between **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084 ("Assignor"), and **JEA**, a body politic and corporate whose address is 21 W. Church Street, Jacksonville, Florida 32202 ("Assignee").

RECITALS:

A. Assignor is the owner and holder of certain utility easement rights pursuant to the Resolution No. 2004-4 by the Board of County Commissioners of St. Johns County, Florida, a copy of which is recorded in Official Records Book 2126, Page 1889, public records of St. Johns County, Florida (the "Easement").

B. Assignor desires to temporarily assign its easement rights pursuant to the Resolution to Assignee as set forth herein.

NOW THEREFORE, for and in consideration of the sum of Ten Dollars and other good and valuable consideration to it in hand paid by Assignee, the receipt and adequacy of which is hereby acknowledged, Assignor and Assignee agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by this reference.

Assignor does hereby assign and convey to Assignee, its successors and assigns, the easement rights held by Assignor over, under, upon, and across that certain real property described in Exhibit A attached hereto ("Easement Area"), which were reserved to Assignor pursuant to the Easement, together with all the rights and appurtenances thereto belonging or in anywise appertaining to said easement rights and privileges hereby assigned.

2. The term of this Assignment shall commence August 1, 2020, and shall expire and terminate on December 31, 2021.

3. Subject to the provisions and limitations of Section 768.28, Florida Statutes, Assignee shall be liable for any personal injury or damage to real or personal property that may result from the Assignee's use of the Easement and shall defend, hold harmless, and indemnify the Assignor and its officers, agents, and employees for and from the payment of any

compensation, damages, claims, liability, costs, or fees resulting from the exercise by Assignee, its contractors, agents, employees, successors and assigns of the privileges granted herein.

IN WITNESS WHEREOF, Assignor and Assignee have each executed this instrument to as of the day and year first above written.

ASSIGNOR:

ST. JOHNS COUNTY, FLORIDA, a political subdivision of the State of Florida

By: _____
Jeb S. Smith, Chair

Witness: _____
(Name Printed or Typed)

Witness: _____
(Name Printed or Typed)

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2020, Jeb S. Smith, as Chair of the Board of County Commissioners of St. Johns County, Florida, on behalf of St. Johns County, who is personally known to me or has produced _____ as identification.

Notary Public
My Commission Expires: _____

ASSIGNEE:

JEA, a body politic and corporate

Witness: _____
(Name Printed or Typed)

By: _____
Jordan Pope
Director, Economic Development and Real
Estate

Witness: _____
(Name Printed or Typed)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2020, by Jordan Pope, as Director, Economic Development and Real Estate of JEA, a body politic and corporate, on behalf of JEA, who is personally known to me or has produced _____ as identification.

Notary Public
My Commission Expires: _____

EXHIBIT A

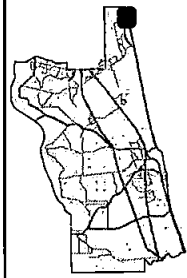
Those certain lands consisting of the westerly thirty-four feet of County Road No. 203, f/k/a State Road No. 78, a/k/a Ponte Vedra Boulevard, which is shown as a 100-foot right-of-way designated as "Atlantic Coastal Highway" on portions of Plats of Ponte Vedra, Subdivision Blocks One to Five, dated August 14, 1934, and recorded in Map Book 5, page 6; Ponte Vedra Subdivision, Blocks 6, 7, 8, Lot A, Block 9, Blocks 36, 37 and Portions of Blocks 17 and 35 dated January 14, 1937 as recorded in Map Book 5, page 21; Ponte Vedra Subdivision, Blocks 11 to 15 inclusive, Block 18 and Tracts A and B, dated May 14, 1935 as recorded in Map Book 5, page 8; Ponte Vedra Subdivision Lot 7, Block 15, Block 16, Block 19, Block 20 Tract "C", and the land South of Block 19, and 20 to the northerly line of Section 43 dated November 12, 1941 as recorded in Map Book 5, page 53, Ponte Vedra Subdivision Block 21, dated May 10, 1956 as recorded in Map Book 8, page 91; Ponte Vedra Subdivision Blocks 9, 10, and land south of Block 10 conveyed to N.L. Moses dated September 10, 1935 as recorded in Map Book 5, page 9, all of the Public Records of St. Johns County, Florida, lying south of the southerly right-of-way line of Miranda Road to the northerly line of Section 43, Township 3 South, Range 29 East, St. Johns County, Florida, excluding any lands lying within the easterly extension of the right-of-ways of Diego Road and Solona Road and those lands which may be located within that certain Deed dated March 1, 1930 from Buchman and Prichard, Incorporated to St. Johns County for State Road 78, a 66-foot wide right-of-way.



Subject Area

Solana Rd

Corona Rd



2019 Aerial Imagery
April 22, 2020

*Temporary Assignment of Easement
JEA - Ponte Vedra Boulevard*

Land Management
Systems
Real Estate
Division
(904) 209-0790

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.

