

RESOLUTION NO. 2025- 147

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES PROVIDED BY THE GABYE LEE USINA LIVING TRUST LOCATED BETWEEN I-95 AND GREEN ACRES ROAD.

RECITALS

WHEREAS, the Gabye Lee Usina Living Trust has executed and presented to the County an Easement for Utilities, attached hereto as Exhibit “A”, incorporated by reference and made a part hereof, for installation of a reclaimed water transmission force main to be located between I-95 and Green Acres Road; 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, the Easement for Utilities also provides St. Johns County the ability to install, construct, operate, maintain, repair, replace and/or remove pipes and mains constituting an underground water distribution system, gravity sewer collection system or sewer force main at this location if needed in the future; and

WHEREAS, it is in the best interest of the County to accept the Easement for Utilities 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 Easement for Utilities, attached and incorporated hereto, is hereby accepted by the Board of County Commissioners.

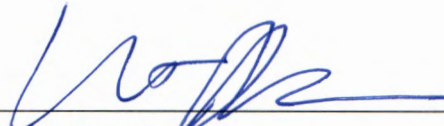
Section 3. To the extent that there are typographical, scrivener or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

Section 4. The Clerk of the Court is instructed to record the original Easement for Utilities in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 6th day of may, 2025.

Rendition Date MAY 07 2025

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Krista Joseph, Chair

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

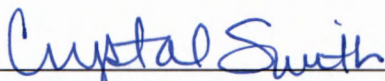

Deputy Clerk



EXHIBIT "A" TO RESOLUTION

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

EASEMENT FOR UTILITIES

THIS EASEMENT executed and given this ____ day of _____, 2025 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**, with an address of 2450 Old Moultrie Road, Suite 104, St. Augustine, Florida 32086, hereinafter called "Grantor" to **ST. JOHNS COUNTY, FLORIDA**, a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine FL 32084, hereinafter called "Grantee".

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor agrees as follows:

1. Grantor does hereby grant, bargain, sell, alienate, remise, release, convey and confirm unto Grantee 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 (hereinafter referred to as "Utility Lines and Associated Equipment") over and upon the real property described on Exhibit A attached hereto (the "Easement Area"); 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 easement is for water and/or sewer utility services only and does not convey any right to install other utilities such as cable television service lines.

TO HAVE AND TO HOLD, unto Grantee, his successors and assigns for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

The easement herein granted is subject to covenants, restrictions, easements, liens and encumbrances of record.

(a) Grantor reserves the right and privilege to use and occupy and to grant to others the right to use and occupy (i) the surface and air space over the Easement Area for any purpose which is consistent with the rights herein granted to Grantee; and (ii) subsurface of the Easement Area for other utility services or other purposes which do not interfere with the rights herein granted to Grantee, including, without limitation, the right to install, construct, operate,

maintain, repair, replace and remove telecommunications, telephone, telegraph, electric, gas and drainage facilities.

(b) All Utility Lines and Associated Equipment will be installed, operated and maintained at all times beneath the surface of the Easement Area provided that the same may be temporarily exposed or removed to the surface when necessary or desirable for the purpose of repairing and/or replacing the same. Provided, however, that Associated Equipment that is customarily installed above ground may be installed above ground subject to the right of Grantor, consistent with good engineering practices to approve the location of such above ground installation in its reasonable discretion.

(c) The easement granted by this instrument may be relocated to a location acceptable to the Grantee at any time upon Grantor's request provided that Grantor bears the cost of relocating the underground water and sewer utility lines and facilities located within the Easement area. At Grantor's request, and upon relocation of such lines at Grantor's expense, Grantee and Grantor shall execute an instrument in recordable form relocating the easement hereby granted to the new Easement Area designated by and in the title of the Grantor.

(d) Grantee shall exercise the easement rights conveyed herein in a manner which will not unreasonably interfere with use and occupancy of residential or commercial improvements constructed upon the adjacent property owned by Grantor.

2. (a) WATER SYSTEM - The Grantee shall maintain all water mains and other elements of the water distribution system up to and including the water meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any water lines between the water meter and the improvements served by the utility system.

(b) SEWER FORCE MAINS - Grantee, by acceptance of this Easement, hereby agrees to maintain the sewer force mains located within the Easement Area.

(c) GRAVITY SEWER SYSTEM - Grantee, by acceptance of this Easement, hereby agrees to maintain gravity sewer lines located within the Easement Area. The Grantee's maintenance of gravity sewer lines shall extend "manhole to manhole", but shall not include a responsibility for maintenance of sewer service laterals; The Grantor or Grantor's successors and assigns shall be responsible for the maintenance of such sewer service laterals. Grantor hereby specifically indemnifies and holds Grantee harmless from and against costs and expenses associated with installation, maintenance, repair or replacement of sewer service laterals.

(d) REUSE SYSTEM - The Grantee shall maintain all reuse mains and other elements of the reuse distribution system up to and including the reuse meter or meters. Grantor or Grantor's successors and assigns shall be responsible for maintaining any reuse lines between the reuse meter and the improvements served by the utility system.

3. After any installation, construction, repair, replacement or removal of any utility lines or equipment as to which easement rights are granted, Grantee shall refill any holes or trenches in a proper and workmanlike manner to the condition existing prior to such installation,

construction, repair, replacement or removal, and Grantee shall be responsible for restoration of sod, landscaping, planting, pavement or other surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of utility lines or equipment. To the extent permitted by law, however, Grantee shall be responsible for damage to improvements that are caused by Grantee's negligence.

4. This Grant of Easement shall inure to the benefit of and be binding of and be binding upon Grantee and its successors and assigns.

5. For the purposes of the terms and conditions of this Grant of Easement, "Grantor" means the owner from time to time of the Easement Area or any part thereof.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURES COMMENCE ON THE FOLLOWING PAGE.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer and its corporate seals to be hereunto affixed as of the day and year first above written.

Signed, sealed and delivered
In the presence of:

Rita B. Gallegos
Witness Signature

RITA B. GALLEGOS

Print Name

2450 Old Moultrie Rd., Ste. 104

St. Augustine, FL 32086

Witness Address REQUIRED BUSINESS OR PERSONAL

John M. Winters
Witness Signature

JOHN M. WINTERS

Print Name

2450 Old Moultrie Rd., Ste. 104

St. Augustine, FL 32086

Witness Address REQUIRED BUSINESS OR PERSONAL

ASSIGNOR

By: James E. Bedsole

Print Name: JAMES E. BEDSOLE

Title: Trustee and Personal Representative

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 23rd day of October, 2024, by JAMES E. BEDSOLE, on behalf of 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: RITA B. GALLEGOS

My Commission Expires: 8/11/2027

(Notary Seal)



Revised August 15, 2024
August 14, 2024

Work Order No. 24-445.00
File No. 130E-06.00A

Utility Easement

A portion of Section 17, Township 7 South, Range 29 East, St. Johns County, Florida, being a portion of Parcel B, as described and recorded in Official Records Book 1137, page 458, of the Public Records of said county, being more particularly described as follows:

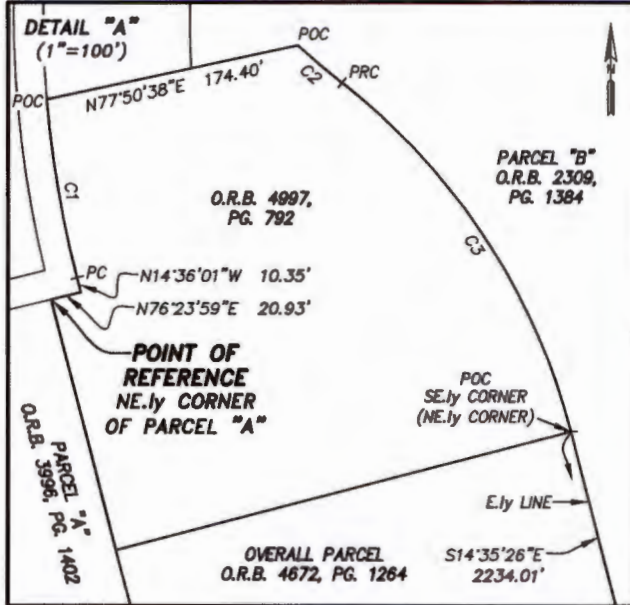
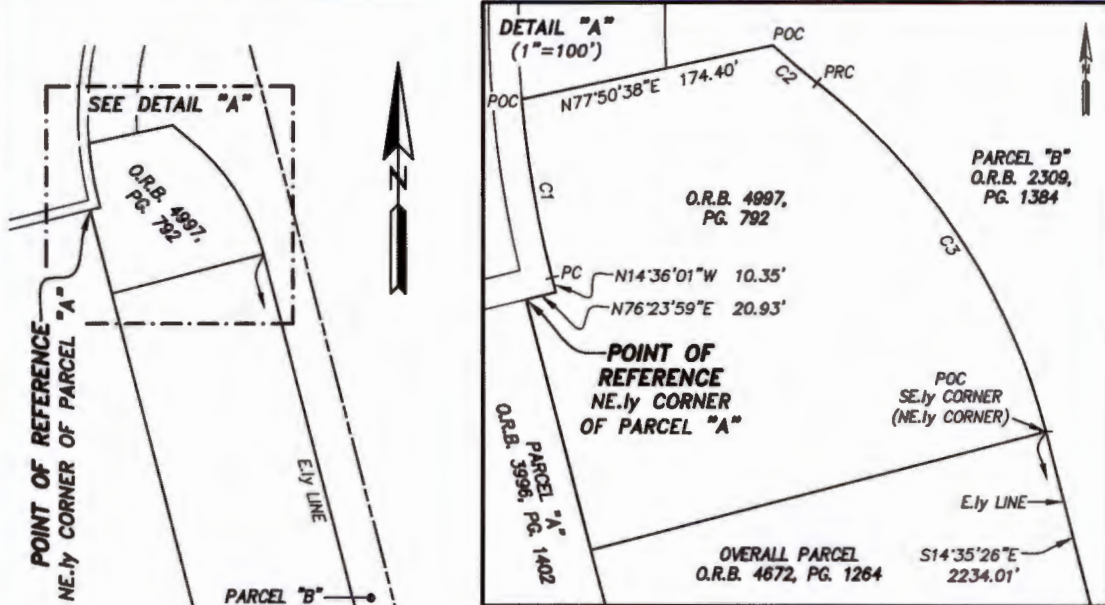
For a Point of Reference, commence at the Northeasterly corner of Parcel "A", as described and recorded in Official Records Book 3996, page 1402, of said Public Records, said corner lying on the boundary line of those lands described and recorded in Official Records Book 4997, page 792, of said Public Records; thence along said boundary line the following 6 courses: Course 1, thence North $76^{\circ}23'59''$ East, 20.93 feet; Course 2, thence North $14^{\circ}36'01''$ West, 10.35 feet to the point of curvature of curve concave Easterly having a radius of 716.82 feet; Course 3, thence Northerly along the arc of said curve, through a central angle of $09^{\circ}48'39''$, an arc length of 122.74 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $09^{\circ}41'45''$ West, 122.59 feet; Course 4, thence North $77^{\circ}50'38''$ East, along a non-tangent line, 174.40 feet to a point on a non-tangent curve concave Northeasterly having a radius of 520.00 feet; Course 5, thence Southeasterly along the arc of said curve, through a central angle of $04^{\circ}22'00''$, an arc length of 39.63 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of South $49^{\circ}59'25''$ East, 39.62 feet; Course 6, thence Southeasterly along the arc of a curve concave Southwesterly having a radius of 440.00 feet, through a central angle of $37^{\circ}34'23''$, an arc length of 288.54 feet to the Southeasterly corner thereof, said corner also being the Northeasterly corner of Overall Parcel, as described and recorded in Official Records Book 4672, page 1264, of said Public Records, said arc being subtended by a chord bearing and distance of South $33^{\circ}23'13''$ East, 283.40 feet; thence South $14^{\circ}35'26''$ East, along the Easterly line of said Overall Parcel, 2234.01 feet; thence North $75^{\circ}07'32''$ East, departing said Easterly line, 380.00 feet to a point lying on the Easterly limited access right of way line of Interstate Highway No. 95, a 300 foot limited access right of way as presently established, and the Point of Beginning.

From said Point of Beginning, thence North $14^{\circ}35'26''$ West, along said Easterly limited access right of way line of Interstate Highway No. 95, a distance of 37.08 feet; thence North $56^{\circ}08'48''$ East, departing said Easterly limited access right of way line, 578.64 feet to a point lying on the Westerly terminus of Cowan Road, a 60 foot right of way as depicted on Unit No. 2 of Green Acres Estates, a plat recorded in Map Book 10, page 57, of said Public Records; thence South $04^{\circ}41'59''$ East, along said Westerly terminus, 40.08 feet to the Southerly corner thereof; thence South $56^{\circ}08'48''$ West, 571.34 feet to the Point of Beginning.

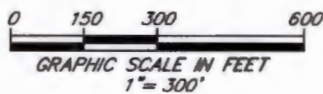
Containing 20,125 square feet, more or less.



**SKETCH TO ACCOMPANY DESCRIPTION OF
A PORTION OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 29 EAST,
ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF PARCEL B,
AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1137,
PAGE 458, OF THE PUBLIC RECORDS OF SAID COUNTY,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**



CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	716.82'	9°48'39"	122.74'	N09°41'45"W	122.59'
C2	520.00'	4°22'00"	39.63'	S49°59'25"E	39.62'
C3	440.00'	37°34'23"	288.54'	S33°23'13"E	283.40'



- LEGEND:**
M.B. MAP BOOK
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
L.A.R.W. LIMITED ACCESS RIGHT OF WAY
R/W RIGHT OF WAY
PC POINT OF CURVATURE
POC POINT ON CURVE
PRC POINT OF REVERSE CURVATURE
L1 TABULATED LINE DATA
C1 TABULATED CURVE DATA

SHEET 1 OF 2

GENERAL NOTES:

- THIS IS NOT A SURVEY.
- BEARINGS BASED ON THE EASTERLY LIMITED ACCESS RIGHT OF WAY LINE OF INTERSTATE HIGHWAY No. 95 AS BEING NORTH 14°35'26" WEST.

REVISED AUGUST 15, 2024
TO UPDATE NAME.

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

ETM
SURVEYING & MAPPING

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Community.

14775 Old St. Augustine Rd.
Jacksonville, Florida 32258

(904) 642-8550
www.etmnc.com

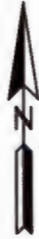
Certificate of Authorization No: LB 3624

SCALE: 1"=300'

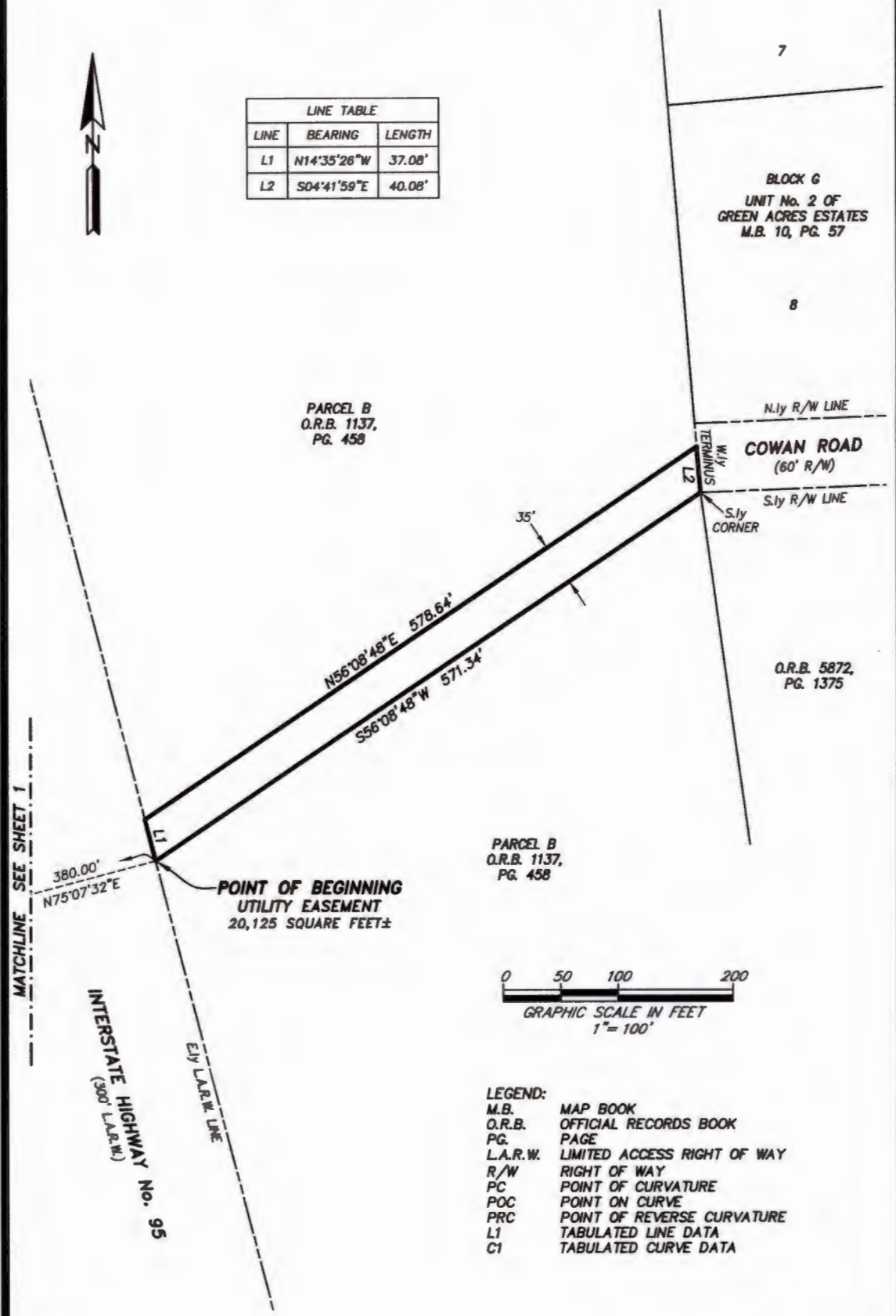
DATE: AUGUST 14, 2024

G. C. COLYER III
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6963

A PORTION OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 29 EAST,
 ST. JOHNS COUNTY, FLORIDA, BEING A PORTION OF PARCEL B,
 AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1137,
 PAGE 458, OF THE PUBLIC RECORDS OF SAID COUNTY.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N14°35'26"W	37.08'
L2	S04°41'59"E	40.08'



7

BLOCK G
 UNIT No. 2 OF
 GREEN ACRES ESTATES
 M.B. 10, PG. 57

8

PARCEL B
 O.R.B. 1137,
 PG. 458

N.ly R/W LINE

COWAN ROAD
 (60' R/W)

S.ly R/W LINE
 S.ly CORNER

O.R.B. 5872,
 PG. 1375

PARCEL B
 O.R.B. 1137,
 PG. 458

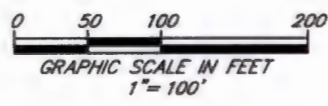
MATCHLINE SEE SHEET 1

380.00'
 N75°07'32"E

POINT OF BEGINNING
 UTILITY EASEMENT
 20,125 SQUARE FEET±

INTERSTATE HIGHWAY No. 95
 (300' L.A.R.W.)

Ely L.A.R.W. LINE



- LEGEND:
- M.B. MAP BOOK
 - O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - L.A.R.W. LIMITED ACCESS RIGHT OF WAY
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - L1 TABULATED LINE DATA
 - C1 TABULATED CURVE DATA

SHEET 2 OF 2

SEE SHEET 1 FOR GENERAL NOTES.

PREPARED BY:
ETM SURVEYING & MAPPING, INC.
 14775 OLD ST. AUGUSTINE ROAD
 JACKSONVILLE, FL 32258 (904) 642-8550
 CERTIFICATE OF AUTHORIZATION NO. LB 3824



Gabye Lee Usina Living Trust
35 ft Easement for Utilities



2024 Aerial Imagery
Date: 4/11/2025

Easement for Utilities

**Between I-95 and
Green Acres Road**



**Land Management
Systems
(904) 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 hereon.