

Prepared by and return to:  
Real Property Division  
Attn: Joan C. Wilke  
509 East Ave. South  
Clearwater, FL 33756

## ASSIGNMENT OF UTILITY EASEMENT

This Assignment of Easement, made this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by and between PINELLAS COUNTY, whose address is 315 Court St, Clearwater, FL 33756, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the CITY OF PINELLAS PARK, FLORIDA, a municipal corporation of the State of Florida, whose address is 5141 78<sup>th</sup> Avenue N., Pinellas Park, Florida 33781, hereinafter referred to as "CITY".

WHEREAS a utility easement was entered into on November 24, 1980, by and between SPAHN HOMES, INC., and COUNTY that did grant and convey unto COUNTY, a utility easement, subsequently recorded in Official Records Book 5131, Page 224 ("UTILITY EASEMENT"), attached hereto and fully incorporated herein as "ATTACHMENT 1".

WHEREAS the COUNTY desires to assign said Utility Easement to the CITY; and

WHEREAS the CITY desires to accept the Utility Easement from the COUNTY, including the rights and responsibility to operate and maintain the Utility Easement as of the effective date shown above; and

WHEREAS, assignment of the Utility Easement will divest the COUNTY of any further rights or responsibility to operate and maintain the Utility Easement as of the effective date shown above.

WHEREAS, said assignment will not affect or release any public right-of-way for any portion of the Utility Easement or the following easements that currently exist per the Plat of Rebecca Farms as recorded in Plat Book 74, page 1, specifically being a 10 ft Utility/or drainage easement, 23 ft drainage easement, and/or a 5 ft utility /drainage easement, attached hereto and fully incorporated herein as "ATTACHMENT 2"

## WITNESSETH

That the said COUNTY, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to them in hand paid, the sufficiency and receipt of which is hereby acknowledged to hereby grant, assign, and set over to the CITY, its successors in title and assigns forever the Utility Easement as more fully described in Attachment 1.

The purpose of the Utility Easement as initially established shall remain unchanged as described.

The COUNTY does not guarantee the fitness or character of the aforesaid property for use by the CITY, and the CITY shall have the right to use and maintain such portion of said easement as may be necessary for the uses contemplated by the previously mentioned Official Records Book 5131, Page 224.

This Assignment shall run with the land and shall be binding to the benefit of the parties hereto, their successors in title and assigns.

IN WITNESS WHEREOF, CITY and COUNTY have hereunder set their respective hands and seals on the day and year aforesaid.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

WITNESSES:

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

COUNTY:

PINELLAS COUNTY, FLORIDA  
a political subdivision of the  
State of Florida

By: \_\_\_\_\_  
Joseph Lauro, Director  
Administrative Services

COUNTER SIGNED:

CITY OF PINELLAS PARK, FLORIDA  
A municipal corporation of the State of Florida

By: \_\_\_\_\_  
Sandra Bradbury, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

ATTEST:

By: \_\_\_\_\_  
Lauren C. Rubenstein, City Attorney

By: \_\_\_\_\_  
Diane M. Corna, MMC, City Clerk

81001372

THIS INDENTURE, made this 24th day of November, A.D. 1980.

BETWEEN SPAHN HOMES, INC.

of the County of Pinellas and State of Florida, party of the first part, and  
PINELLAS COUNTY, a political subdivision of the State of Florida, party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar and other good and valuable considerations to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby grant and release unto the said party of the second part, a perpetual Utility easement over and across the following described property; lying in the County of Pinellas, State of Florida, to wit:

A ten foot easement for utility purposes lying within that vacated portion of the north 10 feet of the south 25 feet of the West  $\frac{1}{2}$  of Farm 30, Pinellas Farms, Section 17, Township 30 South, Range 16 being more particularly described as:

That part of the vacated West  $\frac{1}{2}$  of Farm 30 lying within the north 10 feet of the south 40 feet of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 17, Township 30 South, Range 16 East, as recorded in Plat Book 7, pages 4 and 5, public records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

01 Cash 11 Chg

40 Rec

41 DS 1.40

43 Int

Tot 1.40

15 15357696 70 0001. 06JAB1

41 .40 DS

.40 CA

IN WITNESS WHEREOF, the party of the first part has caused these presents to be duly executed in its name by its President, and its corporate seal to be hereto affixed, attested by its Secretary, the date first above written.

Signed, Sealed and delivered  
in the presence of:

SPAHN HOMES, INC.

By Edward C. Spahn  
Its PresidentAttest Thelma E. Spahn  
Its Secretary

(Corporate Seal)

STATE OF Florida  
COUNTY OF PINELLAS

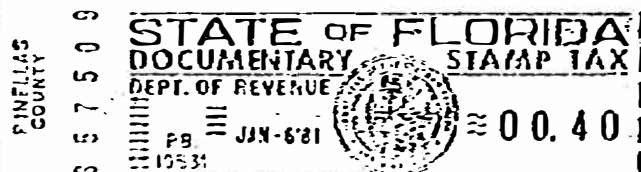
RECORDED  
PINELLAS CO FLORIDA  
Karlus J. DeBlakes  
CLERK, CIRCUIT COURT

JUN 6 4 32 PM '81

Before me, the undersigned authority, this day personally appeared Edward C. Spahn and Thelma E. Spahn to me well known and known to me to be the individuals described in and who executed the foregoing instrument as President and Secretary, respectively, of the Corporation named in the foregoing instrument, and they severally acknowledged to and before me that they executed said instrument on behalf of and in the name of said corporation as such officers that the seal affixed to said instrument is the corporate seal of said corporation and it was affixed thereto by due and regular corporate authority; that they are duly authorized by said corporation to execute said instrument and that said instrument is the free act and deed of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 24th day of November, A.D. 1980.

HOLD FOR:  
PINELLAS COUNTY R/W  
SPECIAL ACCOUNT -



Harmon R. Clark  
Notary Public in and for the County  
and State aforesaid

My Commission Expires:

May 12, 1984

(Notarial Seal)

Prepared By:  
Paul R. Clark  
315  
Clerk

ATTACHMENT 1



PLATS

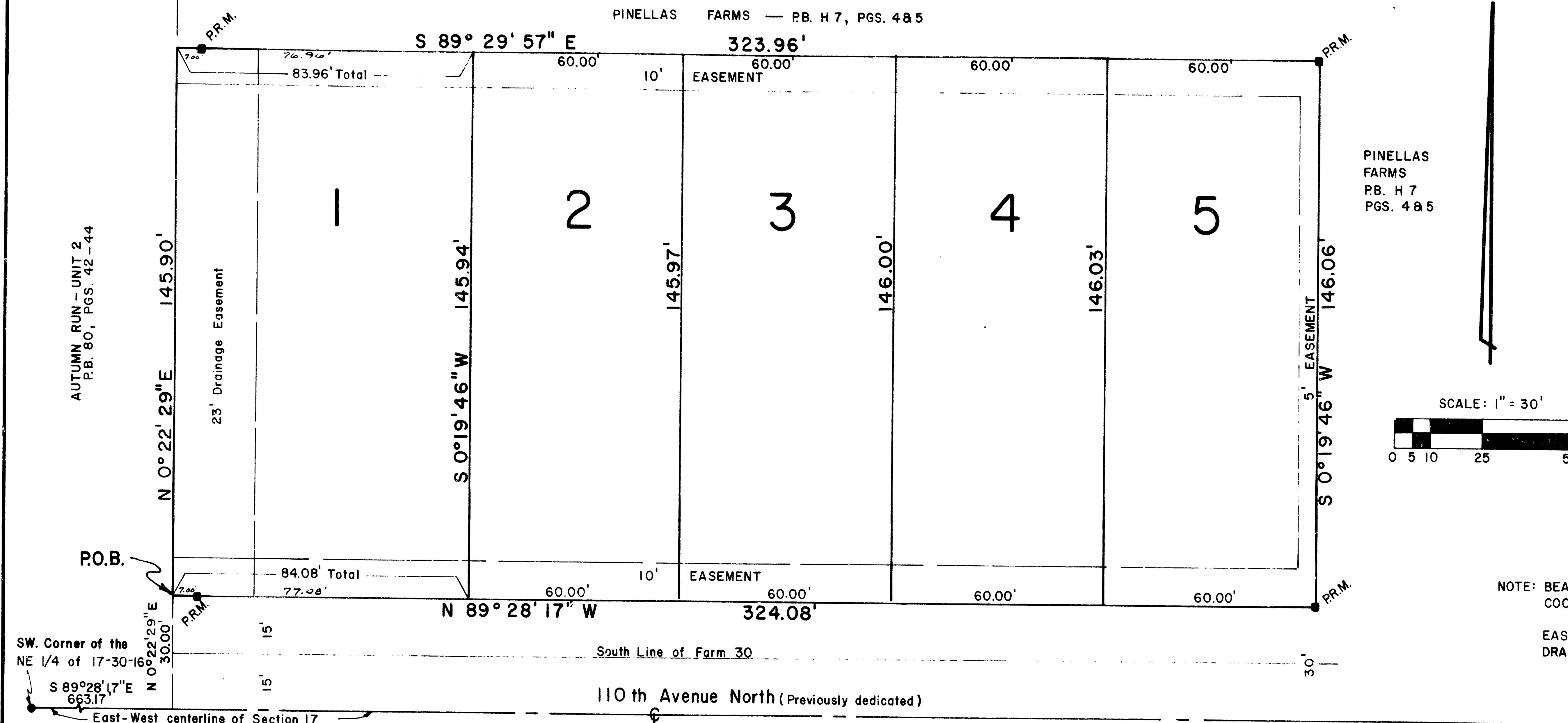
74

82103930

# REBECCA FARMS

BEING A REPLAT OF A PORTION OF FARM 30 OF PINELLAS FARMS IN SECTION 17, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

LEGAL DESCRIPTION: Commence at the Southwest corner of the Northeast 1/4 of Section 17, Township 30 South, Range 16 East and run South 89° 28' 17" East along the East - West centerline of said Section 17 a distance of 663.17 feet; thence run North 0° 22' 29" East a distance of 30.00 feet to the Point of Beginning; thence continue North 0° 22' 29" East a distance of 145.90 feet; thence run South 89° 29' 57" East a distance of 323.96 feet; thence run South 0° 19' 46" West a distance of 146.06 feet; thence run North 89° 28' 17" West a distance of 324.08 feet to the Point of Beginning. Containing 1.086 Acres More or Less



## CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONER

### CERTIFICATE OF APPROVAL OF COUNTY COMMISSION:

STATE OF FLORIDA ) SS. It is hereby certified that this plat has been officially  
COUNTY OF PINELLAS ) approved for recorded by the Board of County Commissioners  
of the County of Pinellas, Florida, this 13th day of  
July, 1982.

Approved: [Signature] Attest: Karleen F. De Blaker, Clerk  
Chairman, Board of County Commissioners  
[Signature]  
County Engineer Deputy Clerk

### CERTIFICATE OF APPROVAL OF COUNTY CLERK:

STATE OF FLORIDA ) SS. I, Karleen F. De Blaker, Clerk of Circuit Court of  
COUNTY OF PINELLAS ) Pinellas County, Florida, hereby certify that this plat has  
been examined and that it complies in form with all the  
requirements of the Statutes of Florida pertaining to maps and plats, and that this plat has been  
filed for record in Plat Book 74, Page 1, Public Records of Pinellas County, Florida, this  
13th day of July, 1982, at 4:15 p.m.

Karleen F. De Blaker  
Pinellas County, Florida

By: [Signature]  
Deputy Clerk

### SURVEYOR'S CERTIFICATE

I, Edward J. Langton, Jr., of Langton  
Surveying Inc., having offices at 8486  
Seminole Blvd. Suite 1, Seminole, Florida,  
the surveyor making this plat, do hereby  
certify that it is a true and correct representation  
of the lands platted to the best of my knowledge  
and belief, and that permanent reference  
monuments have been placed in accordance  
with Section 177-091(7), Laws of the State of  
Florida. Signed this 4th day of AUGUST  
1981.  
I, also hereby certify that the material and  
composition of this plat conforms to the  
requirements of chapter 177.091 of the  
Florida statutes.

[Signature]  
Edward J. Langton, Jr.  
Fla. Reg. No. 3154

ATTACHMENT 2

DEDICATION: The undersigned hereby certify that they are the Owners of the above  
described property and that besides their interests therein, there are no other outstanding  
interests in said property, which property is hereby platted as REBECCA FARMS, dedicates  
all streets, easements and public places, as shown on this plat, to the use of the public in  
general. The party joining herein is Spahn Homes, Inc.

### WITNESSES:

[Signature]  
[Signature]

### OWNER: SPAHN HOMES, INC.

[Signature]  
Edward G. Spahn, President  
[Signature]  
Thelma E. Spahn, Secretary

### ACKNOWLEDGEMENT:

STATE OF FLORIDA ) SS. Before me, the undersigned authority, personally appeared  
COUNTY OF PINELLAS ) Edward G. Spahn and Thelma E. Spahn, as President and  
Secretary, respectively of Spahn Homes, Inc., a Florida  
Corporation, to be known and known to me to be the  
individuals executing the foregoing and acknowledged to me that they executed the same for  
the purposes set out therein.  
WITNESS my hand and official seal at Pinellas County, Florida this 17th day of  
AUGUST 1981.

My commission expires: May 10, 1984 [Signature]

Notary Public

Prepared by: LANGTON SURVEYING, INC.





CITY HALL - P.O.Box 1100  
PINELLAS PARK, FL 33780-1100

**Please Respond To:**

City Attorney's Office  
Lauren C. Rubenstein  
James W. Denhardt  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

April 19, 2023

Mr. Aaron Petersen  
Assistant Community Development Administrator  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #23-076**  
**Assignment of Utility Easement**

Dear Mr. Petersen:

Our office has received and reviewed the above-mentioned Assignment of Utility Easement from Pinellas County to the City of Pinellas Park and would approve of Assignment of Easement as to form and correctness.

Very truly yours,

Lauren C. Rubenstein  
City Attorney

cc: Bart Diebold, City Manager  
Diane M. Corna, MMC, City Clerk  
Chief Michael Haworth, Asst. City Manager  
Nick Colonna, Community Development Administrator

LCR/dh  
23-076.04192023.LAP.Assignment of Utility Easement w County.wpd