

This Instrument Prepared By:
Sam Bridges, Land Rights Coordinator
City of Gainesville
Public Works Department, Sta. 58
P.O. Box 490
Gainesville, FL 32602-0490

Section 34, Township 9 South, Range 20 East

RELEASE OF EASEMENT

This Release of Easement executed this _____ day of _____, 2007, by the CITY OF GAINESVILLE, Florida, a municipal corporation of the State of Florida, whose mailing address is P.O. Box 490, Gainesville, Florida 32602, GRANTOR, to Wal-Mart Stores East, L.P., a Delaware limited partnership, GRANTEE.

WHEREAS, the purpose of this Release of Easement is to release the City of Gainesville's interests in a certain lateral ditch right granted by State of Florida Department of Transportation, to the City of Gainesville, by Quitclaim deed, dated October 31, 1997, filed in Official Record Book 2209, Page 1128, of the Public Records of Alachua County, Florida.

WITNESSETH, That the GRANTOR, for and in consideration of the benefits flowing to the City from improvement of the referenced property, does hereby remise and release forever, all the right, title, interest, claim and demand which the City has by virtue of the above-described easement in and to the following described lot, piece or parcel of land, situated, lying and being in the County of Alachua, State of Florida, to wit:

Legal Description

That part of:

S ½ of Section 34, Township 9 South, Range 20 East, Except lands of Lula O. Pinkoson and John Camp,

Lying within 25 feet each side of the following described ditch centerline: Commence at the Southwest corner of Section 34, Township 9 South, Range 20 East, thence run North 158.1 feet along West boundary line of said Section, thence run North 30° 37' East 1551.2 feet along East right of way line of S.A.L. Railway to POINT OF BEGINNING of ditch centerline; thence run South 59° 23' East 239.7 feet to the beginning of a curve concave to the North, having a radius of 193.18 feet and a central angle of 62° 15'; thence run Easterly along said curve 207.5 feet to the end of curve, thence run North 58° 22' East 1316.5 feet, thence run North 89° 14' East 807.3 feet to end of ditch; containing 2.38 acres, more or less.

Contained in Deed Book 284, page 5 and Official Records Book 2209, page 1128 of the Public Records of Alachua County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name and affixed its seal the day and year first above written.

Signed, sealed & delivered
In the Presence of:

CITY OF GAINESVILLE, FLORIDA
A Florida Municipal Corporation

Debra S. Hirneise
Witness
Print Name Debra S. Hirneise

Peegen Hanrahan
Peegen Hanrahan, City Mayor

Sharon D. Williams
Witness
Print Name Sharon D. Williams

APPROVED AS TO FORM AND LEGALITY:

Natalie McKellis

ATTEST:

Kurt M. Lannon
Kurt M. Lannon, Clerk of the Commission

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 16 day of February, 2007, by Peegen Hanrahan and Kurt M. Lannon, the City Mayor and Clerk of the Commission, respectively, of the City of Gainesville, Florida, a municipal corporation, who are personally known to me and duly sworn, and acknowledged that as such officers, and pursuant to authority from said corporation, as its act and deed, and for the uses and purposes set forth and contained in said instrument.

Sharon D. Williams
Print Name: Sharon D. Williams
Notary Public, State of Florida
My Commission Expires:

