



U.S. Department
of Transportation
**Federal Aviation
Administration**

ORLANDO AIRPORTS DISTRICT OFFICE
5950 Hazeltine National Dr., Suite 400
Orlando, Florida 32822-5024
Phone: (407) 812-6331 Fax: (407) 812-6978

July 8, 2002

Mr. Richard Crider, A.A.E.
Director of Aviation
Gainesville Regional Airport
3400 N.E. 39th Avenue, Suite A
Gainesville, Florida 32609

JUL 10 2002

Dear Mr. Crider:

RE: Letter of Release (Surplus Property Land)
Parcel B-2 (±3.72 acres)

We refer to a written request dated May 20, 2002, wherein Mr. Wayne Bowers and Richard Crider, on behalf of the City of Gainesville, hereafter referred to as Airport Owner, requested that Parcel B-2 of Gainesville Regional Airport be released from the terms of Surplus Property Agreements between the Federal Aviation Administration (FAA) and the Airport Owner.

The requested release is for the purpose of permitting the Airport Owner to sell and convey title of this property for commercial use purposes.

We have concluded that this property, as legally described in the enclosed Deed of Release, is no longer needed for aeronautical purposes, and that the release and use of such land for the stated purpose will not interfere with the operation, maintenance or future development of Gainesville Regional Airport.

By accepting this release, the Airport Owner agrees to:

1. Deposit the net proceeds of the appraised Fair Market Value (FMV) of \$115,500 in an interest bearing account currently paying the highest interest rate immediately after consummation of the sale, where it shall remain until utilized for payment of an FAA approved use at Gainesville Regional Airport.
2. Expend, within five (5) years of the Deed of Release execution date, the sum of \$115,500 plus accumulated interest for purposes pre-approved by the FAA. It is understood and agreed that this amount will not be eligible as sponsor matching funds for Federally assisted airport development.

3. Maintain accurate records of the above listed expenditures in accordance with accepted business practices, and for three (3) years after the approved project is completed, keep the records open for inspection by the FAA at any time.
4. Insure that they and their successors and assigns protect the rights and interests of the public in Gainesville Regional Airport and prevent any use of the subject property which would constitute an airport hazard.
5. Update the Airport Layout Plan upon acceptance of the release and revise the Exhibit "A" property map to reflect the new airport boundaries.
6. Insure that they and their successors and assigns retain, for the use and benefit of the public, the right of flight for the passage of aircraft in the airspace above the surface of the subject property, the right for existing and future aircraft to generate noise in that airspace, and the right to use the airspace to land on or take off from the airport.

In consideration of these premises, the FAA agrees to release the Airport Owner from the obligations, terms, and conditions of the existing grant agreements as of the date of this agreement as they may relate to the subject property:

Please indicate your acceptance of these conditions by signing and completing the bottom portion of this letter and its enclosed duplicate and returning one copy to our office.

In addition, please have the original and two copies of the Deed of Release (enclosed) executed on behalf of the Airport Owner and return one copy to this office. After the Deed of Release has been recorded, please furnish this office with a copy of the recorded document showing the date, book, and page number of the recordation.

Sincerely,



W. Dean Stringer
Manager

3 Enclosures

Accepted for City of Gainesville

By:


Title:
MAYOR

Date:
7/31/02



DEED OF RELEASE

This instrument, a Deed of Release, made by the United States of America, Acting by and through the Administrator of the Federal Aviation Administration, Department of Transportation, under and pursuant to the powers and authority contained in the provisions of Public law 81-311 (63 Stat. 700), as amended, to City of Gainesville, a body politic, created, operating, and doing business under the laws of the State of Florida, WITNESSETH:

WHEREAS, the United States of America, acting by and through the War Assets Administrator under and pursuant to authority contained in the provisions of Reorganization Plan One of 1947 (12 Fed. Reg. 4534) as amended, and applicable rules, regulations, and orders by an instrument of transfer entitled "Quitclaim Deed" dated October 15, 1948, did remise, release and forever quitclaim to the City of Gainesville, a Florida Municipal corporation, its successors and assigns, all rights, title and interest in and to that certain property located and situated in Gainesville, Florida, subject to certain terms, conditions, reservations and restrictions, said Quitclaim Deed being recorded in the public records of Alachua County, Florida, Deed Book No. 260, Pages 239 reference being hereto made as if fully set out herein; and

WHEREAS, the Airport Owner has requested the United States of America to release the hereinafter described real property from all of those terms, conditions, reservations and restrictions of the said instrument(s) of transfer; and

WHEREAS, the Administrator of the Federal Aviation Administration is authorized to grant releases pursuant to the powers and authority contained in Public Law 81-311 (63 Stat. 700), as amended; and

WHEREAS, by virtue of delegation of authority, the Manager, Orlando Airports District Office, Airports Division, Southern Region, Federal Aviation Administration, under and pursuant to the powers and authority contained in Public Law 81-311 (63 Stat. 700) is authorized to make determinations on requests for Deed of Release and to execute said Deeds of Release to convey, quitclaim or release any right or interest reserved to the United States of America by an instrument of disposal; and

WHEREAS, the Manager, Orlando Airports District Office, Airports Division, Southern Region, Federal Aviation Administration, has determined that the release of such real property as is hereinafter described, from all of the said terms, conditions, reservations and restrictions set forth in the above identified instrument of transfer will not prevent accomplishment of the purpose for which the property was made subject to such terms, conditions, reservations and restrictions and is necessary to protect or advance the interests of the United States of America in civil aviation.

NOW THEREFORE, for and in consideration of the above expressed recitals and of the benefits to accrue to the United States and to civil aviation, the United States of America, upon inclusion by the City of Gainesville in the Instrument of Transfer conveying title to the hereinafter described real property of provisions as follows:

(1) That the City of Gainesville reserves unto itself, its successors and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the surface of the real property hereinafter described, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, for use of said airspace for landing on, or taking off from or operating on Gainesville Regional Airport.

(2) That the City of Gainesville expressly agrees for itself, its successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the hereinafter described real property to such a height so as to comply with Federal Aviation Regulations, Part 77.

(3) That the City of Gainesville expressly agrees for itself, its successors and assigns, to prevent any use of the hereinafter described real property which would interfere with the landing or takeoff of aircraft at Gainesville Regional Airport or interfere with air navigation and or communication facilities serving Gainesville Regional Airport, or otherwise constitute an airport hazard.

HEREBY, releases the said real property from the terms, conditions, reservations, and restrictions as contained in the above-mentioned Instrument of Transfer from the United States of America to the City of Gainesville, a Florida Municipal corporation, dated October 15, 1948 which real property is described as follows:

Parcel B-2:

A portion of Section 23, Township 9 South, Range 20 East, City of Gainesville, Alachua County, Florida; being more particularly described as follows:

Commence at the southeast corner of Lot 11 of Airport Industrial Park, Unit II as per plat thereof records in Plat Book "T", page 37 of the Public Records of Alachua County, Florida and run thence South 24°34'43" West, along the northwesterly right-of-way line of NE 40th Terrace (80' Right-of-Way), a distance of 371.84 feet to the POINT OF BEGINNING; thence continue South 24°34'43" West along said northwesterly right-of-way line, 68.91 feet to the beginning of a curve, concave southeasterly, having a radius of 626.90 feet; thence southwesterly, along said right-of-way line and along the arc of said curve, through a central angle of 24°21'07", an arc distance of 266.44 feet; said arc being subtended by a chord having a bearing and distance of South 12°24'10" West, 264.44 feet; thence South 89°31'46" West, 430.33 feet; thence South 89°09'04" West, 41.94 feet; thence South 86°00'46" West, 6.45 feet to a point on the east boundary of a drainage right-of-way as shown on said plat of Airport Industrial Park, Unit II; thence North 01°03'45" West, along said east boundary, 315.87 feet; thence North 89°01'24" East, parallel to the south boundary of said Lot 11, a distance of 570.09 feet to the POINT OF BEGINNING.


Containing 3.72 acres (162,092 square feet), more or less.

This release is for the specific purpose of permitting City of Gainesville to sell and convey title to the above described property for Industrial Park Developmental purposes.

By its acceptance of this Deed of Release, the City of Gainesville also covenants and agrees for itself, its successors and assigns, to comply with and observe all of the conditions and limitations hereof, which are expressly limited to the above described real property.

IN WITNESS WHEREOF, the United States of America has caused these presents to be executed in its name and on its behalf by the Manager, Orlando Airports District Office, Airports Division, Southern Region, Federal Aviation Administration, all as of the 8 day of July, 2002.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION

By 
Manager, Orlando Airports District Office
Airports Division, Southern Region
Federal Aviation Administration

STATE OF FLORIDA)
)ss
COUNTY OF ORANGE)

On this 8th day of July, 2002, before me a Notary Public in and for the County of Orange, State of Florida, personally appeared W. Dean Stringer, known to me to be the Manager, Orlando Airports District Office, Airports Division, Southern Region, Federal Aviation Administration, and known to me to be the person whose name is subscribed to the within instrument and acknowledge that he executed the same on behalf of the Administrator of the Federal Aviation Administration and the United States of America.

WITNESS my hand and official seal.



Alla Lee L. Blaney
Commission # CC 794831
Expires JAN. 27, 2003
BONDED THRU
ATLANTIC BONDING CO., INC.

Alla Lee L. Blaney
Notary Public in and for said County and State

(SEAL)

My commission expires January 27, 2003

Accepted:

City of Gainesville

By: W. Bussig

Title: MAYOR

Date: 7/31/02

