

RESOLUTION NO. 120214

PASSED August 16, 2012

A Resolution of the City Commission of the City of Gainesville, Florida, requesting approval and Authorization for a Partial Release of Mortgage on Lot 5 of a Minor Subdivision recorded in Plat Book 2, page 94 of the Public Records of Alachua County, Florida and located 840 Southwest 3rd Street, Gainesville, Florida

WHEREAS, the City through its locally funded agreement with the State of Florida Department of Transportation proposes to construct or improve Road No. Depot Avenue SW, Section No. 26000, F.P. No. 4205373, in Alachua County, Florida; and

WHEREAS, it is necessary that certain lands, currently encumbered by a Mortgage held by the City of Gainesville, Florida, and recorded in Official Records Book 3936 page 1704, be acquired by the State of Florida Department of Transportation; and

WHEREAS, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a Partial Release of Mortgage, to release, relieve and discharge from the lien of the above mentioned mortgage the real estate situate in Alachua County and further described in Exhibit "A", attached hereto and made a part hereof, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Gainesville, Florida, that the application of the State of Florida Department of Transportation for a Partial Release of Mortgage is necessary for transportation purposes; which is in the public or community interest and for the public's welfare; the land is needed for transportation purposes and it should be drawn and executed by the Mayor or designee.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Lake City, Florida.

PASSED AND ADOPTED this 16th day of August, 2012.

Craig Lowe, Mayor
City of Gainesville, Florida

ATTEST:

APPROVED AS TO FORM AND LEGALITY

Kurt M. Lannon, Clerk of the Commission

Marion J. Radson, City Attorney

10-MLR.02-Date: May 30, 2012

This instrument prepared by
or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 120.3
SECTION NO. 26000
F.P. NO. 4205373
ROAD NO. SW Depot Ave
COUNTY OF Alachua

PARTIAL RELEASE OF MORTGAGE(S)

KNOW ALL MEN BY THESE PRESENTS: That the City of Gainesville, a Florida municipal corporation, Post Office Box 490, Gainesville, Florida 32602-0490, the owner(s) of the mortgage(s) and the indebtedness secured thereby,

RECORDED:

Instrument	Date	From	To	O.R. Book / Page
Mortgage	02/12/2010	Joni L. Teerlink	The City of Gainesville	3936 / 1704

For valuable consideration does hereby release, relieve and discharge from the lien of the above mentioned mortgage(s) the following described real estate, situate in Alachua County, Florida more particularly described as follows, to wit:

SEE **Exhibit "A"**, attached hereto and by reference made a part hereof.

HOWEVER, it is expressly understood and agreed that this release in no way and to no extent whatever shall affect the lien of the above mortgage(s) as to the remainder of the property described in and secured by the above mortgage(s) and not released previously from its lien.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed in its name, and its seal to be hereunto affixed, by its proper officers thereunto duly authorized, this _____ day of _____, 20_____.

ATTEST: _____
Kurt M. Lannon
Clerk of the Commission

City Of Gainesville, Florida
a municipality of the State of Florida

Signed, sealed and delivered in
the presence of:

Witness:
Print Name: _____

BY: _____
Craig Lowe
Its Mayor

Witness:
Print Name: _____

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Craig Lowe 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.

(Notary Seal)

Print Name: _____
Notary Public
My Commission Expires: _____

Approved as to Form and Legality:

Print Name: _____
City Attorney

Exhibit "A"

Section No. 26000
F.P. No. 4205373

SW Depot Avenue

Alachua County

Parcel Number 120

Fee Simple

A Part Of Lot 5, Minor Subdivision, As Recorded In Plat Book 2, Page 94, Of The Public Records Of Alachua County, Florida, In Section 8, Township 10 South, Range 20 East, More Particularly Described As Follows:

COMMENCE At The Northwest Corner of Lot 24, Baileys Addition to Gainesville, As Recorded in Plat Book A, Page 20, Of The Public Records Of Alachua County, Florida, In Section 8, Township 10 South, Range 20 East, Said Alachua County, Florida, Thence South 01° 37' 41" East, Along The Easterly Existing Right Of Way Line Of Southwest 5TH Street, A Distance Of 144.97 Feet To The Southwesterly Corner Of Said Lot 24, And The Northerly Existing Right Of Way Line Of Southwest Depot Avenue (A Variable Width Right Of Way As Per Florida Department Of Transportation Right Of Way Maps, Section No. 26000, FP No. 4205373); Thence Continue South 01° 37' 41" East, Departing Said Northerly Existing Right Of Way Line, A Distance Of 22.36 Feet To The Baseline Of Survey Of Southwest Depot Avenue; Thence North 77° 34' 12" East, Along Said Baseline Of Survey, A Distance Of 118.79 Feet To An Angle Point; Thence North 77° 59' 06" East, Along Said Baseline Of Survey, A Distance Of 184.05 Feet; Thence North 01° 30' 07" West, Departing Said Baseline Of Survey, A Distance Of 23.21 Feet To The Northerly Existing Right Of Way Line Of Said Southwest Depot Avenue, Also Being The Southwest Corner Of Lot 5, Of Minor Subdivision., As Recorded In Plat Book 2, Page 94, Of The Public Records Of Said Alachua County, Florida And The **POINT OF BEGINNING**; North 01° 30' 07" West, Departing Said Northerly Existing Right Of Way Line, A Distance Of 7.13 Feet; Thence North 77° 39' 58" East, A Distance Of 112.38 Feet To The Westerly Existing Right Of Way Line Of Southwest 3RD Street; Thence South 01° 28' 28" East, Along Said Westerly Existing Right Of Way Line, A Distance Of 7.13 Feet To The Northerly Existing Right Of Way Line Of Said Southwest Depot Avenue: Thence South 77° 39' 58" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 112.38 Feet To The **POINT OF BEGINNING**.

Containing 787 Square Feet, More Or Less.