

This instrument prepared by
Robert W. Wigglesworth
Public Works Department
Post Office Box 1188
Gainesville, FL 32602-1188

GRU Transmission Line
SW 122nd Street at SW 31st Avenue
Alachua County, Florida

TEMPORARY CONSTRUCTION EASEMENT
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THIS EASEMENT, made this _____ day of _____, A.D. 2010, by the **City of Gainesville, Florida**, a municipal corporation, whose mailing address is Post Office Box 490, Gainesville, Florida, 32602, as party of the first part and **Alachua County**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, as 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 valuable considerations, paid each to the other, receipt of which is hereby acknowledged, has given and granted, and by these presents does give and grant unto the party of the second part, its licensees, agents, successors, assigns and allied and associated companies, a Temporary Construction Easement (TCE) in, over and above, across and beneath the surface of the following described property in Alachua County, Florida, to wit:

A parcel of land being more particularly described in **Exhibit "A"**, as attached hereto and by reference made a part herein.

Subject to all previously recorded easements, restrictions, encroachments and/or rights of way.

For the purpose of Alachua County to remove the existing mitered end section and the existing elliptical reinforced concrete pipe along the north side of SW 31st Avenue west, of SW 122nd Street, in order to construct 16 linear feet of 14" by 23" elliptical reinforced concrete pipe with a mitered end section. This includes matching existing invert elevations as well as re-grading the swales in order to provide positive drainage.

This Temporary Construction Easement is being granted upon the following conditions:

1. The City of Gainesville gives Alachua County and/or the County's Contractor permission to enter their property (GRU Transmission Line right of way) along

- County Road SW 122nd Street (Parker Road) at SW 31st Avenue; and
2. Alachua County and/or the County's Contractor shall be responsible for repairing any damage incurred to said described property or structures by their respective employees, vehicles and/or equipment; and.
 3. Alachua County and/or the County's Contractor shall be responsible for restoring said property to its original condition, or as close to the original condition as possible; and
 4. The City of Gainesville shall not be responsible to the County or the County's Contractor, their agents, servants, employees, representatives, guest, or to any person claiming through the County and/or the County's Contractor for injury, loss, or damage, whether to person, including death arising therefrom, or to the property suffered by the County and/or the County's contractor, or any such person upon said property from any cause whatsoever; and
 5. Alachua county and/or the County's Contractor, agrees to be fully responsible for any negligent acts or omissions, which relate to or arise out of this agreement to use the said described property. Nothing herein shall be construed as consent by the County to be sued by third parties in any matter arising out of this easement, or construed as a waiver of sovereign immunity, the limits of liability, or other provisions of Section 768.28, Florida Statutes.

This Temporary Construction Easement shall expire upon one year from the date of this execution or upon the completion of this project, or whichever first occurs, at which time all interest shall immediately revert back to the City of Gainesville.

IN WITNESS WHEREOF, the undersigned has acknowledged and sealed before these present on this day of _____ day of _____, 2010.

Signed, sealed and delivered
in the presence of:

Devonia L. Andrew

sign:

DEVONIA L. ANDREW

print:

Sharon D. Williams

sign:

Sharon D. Williams

print

City of Gainesville
a Florida Municipal Corporation

By: Pegeen Hanrahan
Pegeen Hanrahan, Mayor

Attest:

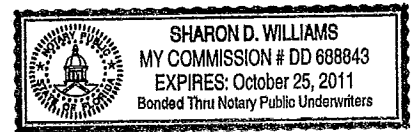
By: Kurt M. Lanfom
Kurt M. Lanfom
Clerk of the Commission

**STATE OF FLORIDA
COUNTY OF ALACHUA**

The foregoing instrument was acknowledged before me this 30 day of March, 2010, by Pegeen Hanrahan and Kurt M. Lannon, the 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 as such officers, and pursuant to authority from said corporation, they executed the foregoing instrument and affixed the corporate seal for and on behalf of said corporation, as its act and deed and for the uses and purposes set forth and contained in said instrument.

Sharon D. Williams
Notary (print name) Sharon D. Williams
My Commission Expires: 10/25/2011
Commission No: DD 68843

(Seal)



Approved as to Form and Legality:

By: Raymond O. Manasco, Jr.
Raymond O. Manasco, Jr.
Utilities Attorney
City of Gainesville, FL

Exhibit "A"

That part of the East ½ of Section 14, Township 10 South, Range 18 East, Alachua County, Florida, and being more particularly described as follows:

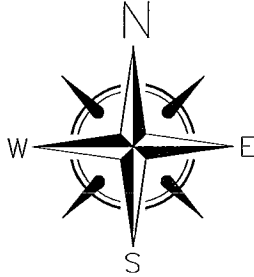
Commence at an intersection of the west right of way line of SW 122 Street, aka Parker Road (80.0 foot right of way) with the easterly prolongation of the north right of way line of SW 31 Avenue for a Point of Reference; thence Northerly, along the said west right of way line, a distance of 142.00 feet to the Point of Beginning; thence continue Northerly, along the said west right of way line, a distance of 55.0 feet; thence Westerly, parallel with the said north right of way line, a distance of 10.0 feet; thence Southerly, parallel with the said west right of way line, a distance of 55.0 feet; thence Easterly, parallel with the said north right of way line, a distance of 10.0 feet to an intersection with the said west right of way line and also being the Point of Beginning.

LEGAL DESCRIPTION SKETCH

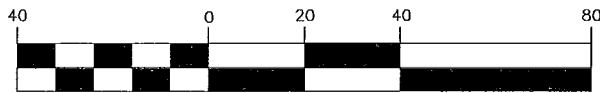
SITUATED IN SECTION 14, TOWNSHIP 10 SOUTH, RANGE 18 EAST

ALACHUA COUNTY, FLORIDA

THIS IS NOT A BOUNDARY SURVEY.



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

LEGEND:

R/W = RIGHT OF WAY

S. W. 31st AVENUE - 60' R/W

SOUTH R/W LINE

NORTH R/W LINE

CITY OF GAINESVILLE TRANSMISSION LINE R/W

POINT OF REFERENCE

110'

NORTHERLY 142.00'

EASTERLY 10.00'

WESTERLY 10.00'
55.00' SOUTHERLY

NORTHERLY 55.00'
WEST R/W LINE

TEMPORARY CONSTRUCTION EASEMENT

POINT OF BEGINNING

**S. W. 122nd STREET - 80' R/W
PARKER ROAD**

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Stephen J. Emmons 10-29-2009
 STEPHEN J. EMMONS Date
 Professional Surveyor & Mapper Fla. License No. 6185

**ALACHUA COUNTY
PUBLIC WORKS
SURVEYING**
 PHONE: 352-374-5245
 5820 NW 120th LANE
 GAINESVILLE, FLORIDA 32653

SURVEY DATE
N/A

REVISION DATE(S)

DRAWING SCALE
1" = 40'

DRAFTER
S. EMMONS

COMPUTER FILE
09-046.dwg

PROJ. NO.
09-046

SHEET NO.
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