

051117

**Phoenix Subdivision Phase I  
Owners Association, Inc.**

Managed By Rogers Realty  
2106 NW 13<sup>th</sup> Street  
Gainesville, FL 32609  
(352) 3764581

April 7, 2006

To the City of Gainesville,

Back on January 18<sup>th</sup>, 2005 at the annual homeowners meeting, a two thirds (2/3) vote was gathered for the gifting of land and access to the land through the common areas, for a park to be maintained by the City of Gainesville.

City of Gainesville will be added to the Association insurance policy.

Secretary of Phoenix Phase I



Richard Rogers

# EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YY)  
04/07/06

THIS IS EVIDENCE THAT INSURANCE AS IDENTIFIED BELOW HAS BEEN ISSUED, IS IN FORCE, AND CONVEYS ALL THE RIGHTS AND PRIVILEGES AFFORDED UNDER THE POLICY.

<b>PRODUCER</b>	<b>PHONE (A/C, NO., EXT)</b>	<b>COMPANY</b>
Ray Schackow Agency 2727-6 NW 43 Street Gainesville, FL 32606 352-377-0909	352-377-0909	Nationwide Insurance

**CODE:** \_\_\_\_\_ **SUB CODE:** \_\_\_\_\_  
**AGENCY**  
**CUSTOMER ID #:** \_\_\_\_\_  
**INSURED**

Phoenix Subdivision Phase I  
520 NW 16 Avenue  
Gainesville, FL 32601

<b>LOAN NUMBER</b>	<b>POLICY NUMBER</b>	
	7709BP 472111-3001	
<b>EFFECTIVE DATE</b>	<b>EXPIRATION DATE</b>	<b>CONTINUED UNTIL TERMINATED IF CHECKED</b>
01/09/06	01/09/07	

THIS REPLACES PRIOR EVIDENCE DATED:

### PROPERTY INFORMATION

LOCATION/DESCRIPTION

### COVERAGE INFORMATION

COVERAGE/PERILS/FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Liability for HOA Common Areas	\$1,000,000	
Any One Occurrence	\$2,000,000	
General Aggregate		

### REMARKS (Including Special Conditions)

### CANCELLATION

THE POLICY IS SUBJECT TO THE PREMIUMS, FORMS, AND RULES IN EFFECT FOR EACH POLICY PERIOD SHOULD THE POLICY BE TERMINATED, THE COMPANY WILL GIVE THE ADDITIONAL INTEREST IDENTIFIED BELOW \_\_\_\_\_ DAYS WRITTEN NOTICE, AND WILL SEND NOTIFICATION OF ANY CHANGES TO THE POLICY THAT WOULD AFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR AS REQUIRED BY LAW

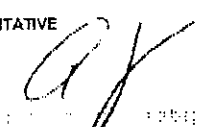
### ADDITIONAL INTEREST

**NAME AND ADDRESS**

\*Certificate Holder  
City of Gainesville

<b>MORTGAGEE</b>	<b>ADDITIONAL INSURED</b>
<b>LOSS PAYEE</b>	
<b>LOAN #</b>	

**AUTHORIZED REPRESENTATIVE**



051112

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

Phoenix Subdivision  
Thomas Napier Grant, Township 10 South, Range 19 East

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**NONEXCLUSIVE INGRESS EGRESS EASEMENT**

THIS NONEXCLUSIVE EASEMENT, made this 6<sup>th</sup> day of April, 2006, by **PHOENIX SUBDIVISION OWNERS ASSOCIATION, Inc.**, a Florida non profit corporation, whose mailing address is 502 Northwest 16<sup>th</sup> Avenue, Suite 1, Gainesville, Florida 32601, **GRANTOR**, and the **CITY OF GAINESVILLE**, Florida, a municipal corporation, whose post office box address is P.O. Box 490, Gainesville, Florida 32602, **GRANTEE**,

**WITNESSETH:**

That the said **GRANTOR**, for and in consideration of the sum of One Dollar (\$1 00) to it in hand paid by **GRANTEE**, receipt of which is hereby acknowledged, has given and granted, and by these presents does give and grant unto the **GRANTEE**, its successors and assigns, a perpetual easement for the purpose of public ingress and egress over, under, upon and through the following described property in Alachua County, Florida, to wit:

**LAND DESCRIPTION**

All Common Area as shown on the plat of Phoenix Subdivision, recorded at Plat Book "J", page 70 of the Public Records of Alachua County, Florida.

1. Grantor shall maintain the common areas and shall indemnify, defend and hold the Grantee, its elected and appointed officers, agents, and employees harmless from all claims, suits, judgments, or damages of any nature, including court costs and attorneys fees, arising out of or in connection with any public use of the Common Areas, as described above.
2. Grantor shall provide Grantee with a certificate of insurance evidencing Grantee and the City of Gainesville as additional insureds on Grantor's comprehensive liability insurance. Minimum acceptable coverage shall be \$500,000.00. Furthermore, Grantee shall maintain that certificate in full force, and provide evidence when requested, for the duration of this Easement.
3. In the event the Common Areas are subjected to ad valorem taxation or fees by any governmental entity as a consequence of this Agreement, Grantor shall promptly pay that tax or fee and provide Grantee with evidence of that payment. Grantor may however contest that imposition of ad valorem tax and Grantee agrees to cooperate with Grantor in any such contest.

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4. All notices pursuant to this Agreement shall be by certified mail, return receipt requested, addressed to the following:

If to Grantee: Clerk of the City Commission  
P.O. Box 490, Station 18  
Gainesville, FL 32602-0490

With copy to: City Attorney's Office  
P.O. Box 1110  
Gainesville, Florida 32602

If to Grantor: Phoenix Subdivision Owners Association, Inc.  
502 Northwest 16<sup>th</sup> Avenue, Suite 1  
Gainesville, Florida 32601

5. The terms of this agreement shall be construed in accordance with the laws of the State of Florida.

TO HAVE AND TO HOLD the same unto the said GRANTEE, its successors and assigns, forever

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed under seal on the day and year aforesaid

Signed, sealed & delivered  
In the Presence of:

Phoenix Subdivision Owners Association, Inc.

*Raymond M. Ivey*  
Print Name RAYMOND M. IVEY

*Rodney Blake III*  
Rodney Blake III, President

*Shannon Lee Walters*  
Print Name Shannon Lee Walters

**STATE OF FLORIDA  
COUNTY OF ALACHUA**

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of April, 2006, by Rodney Blake III, President of the Phoenix Subdivision Owners Association, Inc., who is personally known to me or has produced \_\_\_\_\_ as identification

*Raymond M. Ivey*  
Notary Public, State of Florida  
Print Name: RAYMOND M. IVEY  
My Commission Expires:

