

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

Adjacent to Tax
Parcel No.: 09874-000-000
County Road: North Main Street
ALACHUA COUNTY, FLORIDA

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT, made this _____ day of _____, 2009, in consideration of the benefits described below, **THE CITY OF GAINESVILLE, Florida**, a municipal corporation, whose mailing address is P.O. Box 490, Gainesville, Florida, 32602, hereinafter referred to as the "City", does hereby give, grant, bargain, and release to **ALACHUA COUNTY**, a political subdivision of the State of Florida, whose mailing address is P.O. Box 1188, Gainesville, Florida, 32602-1188, hereinafter referred to as the "County", a Temporary Construction Easement, over and across that part of the City's property which is more particularly described as follows:

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

for the purpose of making improvements to North Main Street (CR 329), between NW 8th Avenue and NW 23rd Avenue (the "Project") and to allow the County and the Contractors retained by the County, and vehicles and equipment ingress and egress to the Property, as necessary to complete the Project.

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

1. County and its contractors may park vehicles and equipment on the Property, provided neither unreasonably blocks, nor impedes access to the development to the west of the Property.
2. County shall restore the Property, as nearly as possible to its original condition upon completion.
3. County's activities to include grading, sloping, seeding, sodding, planting, and other construction, will not extend beyond the Property; and all work will be performed in such manner that the Property will not be damaged beyond repair.
4. Each party will be solely responsible for the negligent or wrongful acts of its employees and agents. Nothing contained herein shall constitute a waiver by either party of its sovereign immunity or the provisions of §768.28, Florida Statutes.

THIS TEMPORARY CONSTRUCTION EASEMENT shall expire one year from the date of execution or upon the completion of this project, whichever first occurs at which time all interest shall immediately revert back to the City.

IN WITNESS WHEREOF, the undersigned has signed and sealed before these present on this ____ day of _____, 2009.

Signed, sealed and delivered
in the presence of:

CITY OF GAINESVILLE
a Florida Municipal Corporation

Witness
Print Name: _____

By: _____
Pegeen Hanrahan, Mayor

Witness
Print Name _____

ATTEST

By: _____
Kurt M. Lannon,
Clerk of the Commission

Approved as to Form and Legality

By: _____
City Attorney

**STATE OF FLORIDA
COUNTY OF ALACHUA**

The foregoing instrument was acknowledged before me this ____ day of _____, 2009 , 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.

(Seal)

Notary (print name) _____
My Commission Expires: _____
Commission No: _____

EXHIBIT "A"

Adjacent to:
Tax Parcel No. 09874-000-000
Owner: City of Gainesville
Temporary Construction Easement

A portion of Section 32, Township 9 South, Range 20 East, City of Gainesville, Alachua County, Florida, and being more particularly described as follows and as depicted (approximately) on page 2 of 2 of this Exhibit:

Commence at the northeast corner of Lot 21 as per plat of Bailey's Addition to Gainesville, recorded in Deed Book "K", page 203 of the Public Records of Alachua County, Florida, and run thence South 89°49'24" East, along the easterly projection of the north line of said Lot 21 and along the southerly right-of-way line of Northwest 14th Avenue (60' R/W), 25.12 feet to the POINT OF BEGINNING;

thence continue South 89°49'24" East, along said easterly projection and said southerly right-of-way line, 8.71 feet to the back of the existing concrete curb and to a point lying on the arc of a curve, concave westerly, having a radius of 15.00 feet; thence southerly along the back of said curb and along the arc of said curve, through a central angle of 32°04'22", an arc distance of 8.40 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of South 16°07'43" East, 8.29 feet; thence South 00°05'32" East, along the back of said existing concrete curb, 70.22 feet; thence South 00°46'18" West, along the back of said existing concrete curb, 270.47 feet; thence South 00°10'10" East, along the back of said existing concrete curb, 911.95 feet to the beginning of a curve, concave westerly, having a radius of 25.0 feet; thence southerly along the back of said existing concrete curb, and along the arc of said curve, through a central angle of 22°51'47", an arc distance of 9.98 feet to a point on the easterly projection of the south line of Lot 20 of said Bailey's Addition to Gainesville, said arc being subtended by a chord having a bearing and distance of South 11°15'43" West, 9.91 feet; thence North 89°56'31" West, along said easterly projection of the south line of Lot 20 and along the northerly right-of-way line of NW 10th Avenue (60' R/W), a distance of 9.04 feet; thence North 00°10'10" West, 921.72 feet; thence North 00°46'18" East, 30.62 feet; thence North 89°13'42" West, 8.00 feet; thence North 00°46'18" East, 16.00 feet; thence South 89°13'42" East, 8.00 feet; thence North 00°46'18" East, 223.85 feet; thence North 00°05'32" West, 78.15 feet to the POINT OF BEGINNING

Less and except, the right of way of NW 10th Avenue, NW 14th Avenue and North Main Street (a.k.a. State Road No. 329)

Subject to covenants, restrictions and easements of record.