



060663

A PETITION FOR VOLUNTARY ANNEXATION

**TO: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COMMISSION OF THE
CITY OF GAINESVILLE, FLORIDA**

FROM: Florida
Brinker, Inc. (AKA Chili's Restaurant) (Petitioner(s))

DATE: October 19, 2006

I/We, Jeffrey Hoban, as

Vice President (title) of the

Florida
Brinker, Inc. (corporation, if necessary)

submit this petition to the City Commission of the City of Gainesville, Alachua County, Florida, and request annexation to the City of Gainesville, of all the property described below and incorporate this property within the territorial limits of the City of Gainesville, pursuant to Chapter 90-496, Laws of Florida, as amended.

The undersigned officer(s) certifies that he/she is/are the lawful owner(s) of the property and is/are authorized to bind the corporation and execute this petition on behalf of the corporation as the owner(s) of the following described property, which is situated in Alachua County, Florida.

(See Exhibit A for description attached hereto and made a part hereof as if set forth in full)

The property described above which is requested to be annexed is contiguous with the corporate limits of the City of Gainesville, is reasonably compact, and is part of the City's urban reserve area. It is generally located in the vicinity of:



south of Tax Parcels 06810-001-016 and 06810-001-000,


west of Tax Parcels 06810-001-017,

north of SW Archer Road,

and east of SW 35th Blvd.

The undersigned officer (s) expresses the corporation's consent to the adoption of Ordinances of the City of Gainesville adopting a report, and if not withdrawn in the time specified by law, voluntarily annexing and incorporating the property described above into the City of Gainesville, Alachua County, Florida, pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347 Special Acts, Laws of Florida.

SIGNATURE:



NAME:

Jeffrey Hoban

TITLE:

Vice President

ADDRESS:

6820 LBJ Freeway

Dallas, TX 75240

SIGNATURE:

NAME:

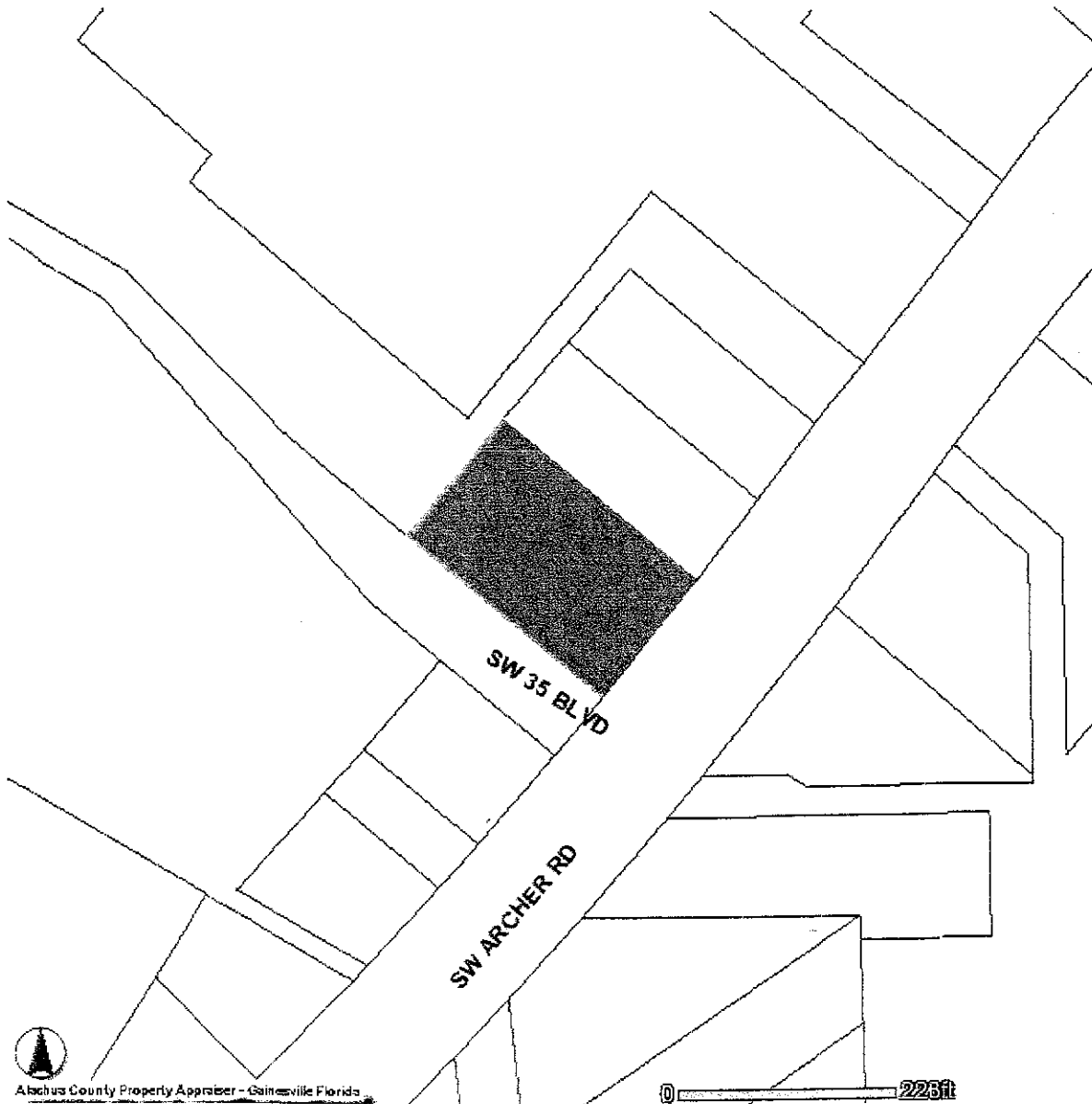
TITLE:

ADDRESS:



EXHIBIT A

Tax Parcel Number 06810-001-008 recognized by the Alachua County Property Appraiser, being more accurately defined on the attached map.



Doc. St. Amt. \$ 7038.00
A. Curtis Powers, Clerk of Circuit Court
Alachua County By *Janet Collins*

THIS INSTRUMENT PREPARED BY:
Jay L. Tobin,
Brinker International, Inc.
6820 LBJ Freeway, Suite 200
Dallas, Texas 75240

AFTER RECORDING RETURN TO:
Jay L. Tobin
Brinker International, Inc.
6820 LBJ Freeway, Suite 200
Dallas, Texas 75240

RECORDED
OFFICIAL RECORDS
91 JUN 27 PM 4:14
CLERK OF CIRCUIT
COUNTY COURT
ALACHUA COUNTY, FL.

CORRECTION DEED

STATE OF FLORIDA
COUNTY OF ALACHUA

That BRINKER INTERNATIONAL, INC. (formerly known as CHILI'S, INC.) a Delaware corporation ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by CHILI'S FLORIDA, INC., a Delaware corporation, whose mailing address is 6820 LBJ Freeway, Suite 200, Dallas, Texas 75240 ("Grantee"), has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, unto Grantee all that certain real property, together with any buildings and improvements thereon, situated in the County of Alachua, State of Florida (the "Property"), and more particularly described in Exhibit A attached hereto and made a part hereof for all purposes.

This Correction Deed is being recorded to correct a scrivener's error in the designation of MODERNAGE, INC., a Delaware corporation, as the grantee in the Deed recorded in Official Records Book 1804, Page 2926, Public Records of Alachua County, Florida (the "Original Deed"). By inadvertence and mistake, said grantee (a wholly-owned subsidiary of the Grantor in said Original Deed and herein) was named in the Original Deed when the Grantor's intent and purpose was to correctly designate and name CHILI'S FLORIDA, INC., a Delaware corporation, the Grantee herein (a wholly-owned subsidiary of said Grantor), as grantee in the Original Deed.

This Correction Deed is made and accepted expressly subject to any easements, restrictions or conditions of record affecting title to the Property.

TO HAVE AND TO HOLD, subject as aforesaid, the above-described Property together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the said Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

For the same consideration, Grantor hereby GRANTS, SELLS, AND CONVEYS, without warranty express or implied, all interest, if any, of Grantor in (i) stripes or gores, if any, between the Property and the abutting properties, and (ii) any land lying in or under the bed of any street, alley, road, or right-of-way, open or proposed, abutting or adjacent to the Property.

IN WITNESS WHEREOF, Grantor has executed this Correction Deed this 26th day of June, 1991, to be effective as of February 20, 1991.

Signed and sealed in the presence of:

GRANTOR:

BRINKER INTERNATIONAL, INC.
(formerly known as CHILI'S, INC.), a Delaware corporation

By: 

Ronald A. McDougall,
President and Chief Operating Officer

ACKNOWLEDGMENT

STATE OF TEXAS

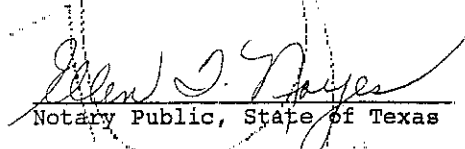
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COUNTY OF DALLAS

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The foregoing instrument was acknowledged before me on the 26th day of June, 1991, by Ronald A. McDougall as President and Chief Operating Officer of Brinker International, Inc. (formerly known as Chili's, Inc.), a Delaware corporation, on behalf of said corporation.


Notary Public, State of Texas

My Commission Expires:



MODERNAGE, INC., a Delaware corporation, whose mailing address is 6820 LBJ Freeway, Suite 200, Dallas, Texas 75240, hereby executes this Deed for the purposes of acknowledging the scrivener's error in the Original Deed and hereby remises, releases and quitclaims to CHILI'S FLORIDA, INC., a Delaware corporation, whose mailing address is: 6820 LBJ Freeway, Suite 200, Dallas, Texas 75240, the Property.

Signed, sealed and delivered
in the presence of

MODERNAGE, INC., A Delaware
Corporation

By:

Ronald A. McDougall
President and Chief Operating
Officer

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

The foregoing instrument was acknowledged before me on the 26th day of June, 1991, by Ronald A. McDougall as President and Chief Operating Officer of Modernage, Inc., a Delaware corporation, on behalf of said corporation.

Ellen T. Moyes
Notary Public, State of Texas

My Commission Expires:



EXHIBIT "A"

A tract of land situated in the Northeast Quarter-(NE $\frac{1}{4}$) of Section Fourteen (14), Township Ten (10) South, Range Nineteen (19) East, Alachua County, Florida, said tract of land being more particularly described as follows:
Commence at the Northeast corner of Section 14, Township 10 South, Range 19 East, and run S 00°02'47" W., along the East line of said Section 14, a distance of 1258.82 feet to the survey line of State Road No. 24; thence run along said survey line with a curve concave Southeasterly, said curve having a central angle of 09°10'17", a radius of 5729.58 feet, an arc length of 917.14 feet and a chord of S 45°16'53" W., 916.16 feet; thence run N 49°18'15" W., 78.00 feet to a point on the Northerly right-of-way line of State Road No. 24, said point being the PCC of said right-of-way line; thence run Southwesterly along said Northerly right-of-way line with a curve concave Southeasterly, said curve having a central angle of 04°11'27" a radius of 5301.68 feet, an arc length of 387.79 feet and a chord of S 38°28'55" W., 387.70 feet; thence run Southwesterly along said Northerly right-of-way line, with a curve concave Northwesterly, said curve having a central angle of 02°02'26", a radius of 5170.68 feet, an arc length of 184.14 feet and a chord of S 37°24'22" W., 184.13 feet to the Point of Beginning; thence run Southwesterly along said Northerly right-of-way line with a curve concave Northwesterly, said curve having a central angle of 01°42'24", a radius of 5170.68 feet, an arc length of 154.03 feet and a chord of S 39°16'47" W., 154.02 feet; thence run N 49°42'06" W., 260.00 feet; thence run N 40°17'54" E., 154.00 feet; thence run S 49°42'06" E., 257.26 feet to the Northerly right-of-way line of State Road No. 24 and the Point of Beginning.

THIS INSTRUMENT PREPARED BY:
Jay L. Tobin
Chili's, Inc.
6820 LBJ Freeway, Suite 200
Dallas, Texas 75240

RECORD & RETURN TO:
J. MARSHALL HUGHES,
11111
11111 11111 4000
11111 11111 5201

GENERAL WARRANTY DEED

STATE OF FLORIDA

COUNTY OF ALACHUA

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\$

That CHILI'S, INC., a Delaware Corporation ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by MODERNA, INC., a Delaware corporation, whose mailing address is 6820 LBJ Freeway, Suite 200, Dallas, Texas 75240 ("Grantee"), has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, unto Grantee all that certain real property, together with any buildings and improvements thereon, situated in the County of Alachua, State of Florida (the "Property"), and more particularly described in Exhibit A attached hereto and made a part hereof for all purposes.

This General Warranty Deed is made and accepted expressly subject to any easements, restrictions or conditions of record affecting title to the Property.

TO HAVE AND TO HOLD, subject as aforesaid, the above-described Property together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the said Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

For the same consideration, Grantor hereby GRANTS, SELLS, AND CONVEYS, without warranty express or implied, all interest, if any, of Grantor in (i) stripes or gores, if any, between the Property and the abutting properties, and (ii) any land lying in or under the bed of any street, alley, road, or right-of-way, open or proposed, abutting or adjacent to the Property.

IN WITNESS WHEREOF, Grantor has executed this General Warranty Deed on February 20, 1991.

Signed and sealed in
the presence of:

[Signature]
[Signature]

GRANTOR:

CHILI'S, INC., a Delaware
corporation

By: *[Signature]*

Ronald A. McDougall,
President and Chief
Operating Officer

Doc. St. Amt \$0.55
A. Curtis Powers, Clerk of Circuit Court
Alachua County By *[Signature]*

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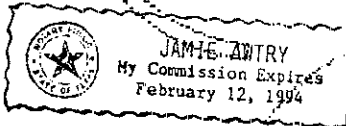
0.8 BK 1804 PG2926

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

The foregoing instrument was acknowledged before me on the day of February, 1991, by Ronald A. McDougall, President and Chief Operating Officer of Chili's, Inc., a Delaware corporation, on behalf of said corporation.



Jamie Antry
Notary Public, State of Texas

My Commission Expires:

EXHIBIT "A"

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