

Date: April 18, 2001

This instrument prepared by
or under the direction of:
Kenneth S. Davis
District General Counsel
Florida Department of Transportation
Post Office Box 1089
Lake City, Florida 32056-1089

PARCEL NO. 803.1
SECTION 26260-2442
F.P. NO. 2129341
COUNTY ROAD 222
COUNTY OF Alachua

PERPETUAL TRANSPORTATION EASEMENT

THIS EASEMENT, made this _____ day of _____, 2001,
by CITY OF GAINESVILLE, FLORIDA, a municipal corporation, whose
post office address is P.O. Box 490, Gainesville, Florida 32602,
GRANTOR, to STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION,
whose post office address is P.O. Box 1089, Lake City, Florida
32056-1089, GRANTEE.

W I T N E S S E T H:

That the said GRANTOR, for and in consideration of the sum of
One (\$1.00) Dollar and other good and valuable consideration 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 transportation purposes over, under, upon and through the
following described property in Alachua County, Florida, to wit:

See Exhibit "A" Attached Hereto and Made a Part Hereof.

This easement is subject to the following conditions:

1. Grantee by acceptance and recording of this easement hereby agrees that the utilization of this easement area for transportation purposes shall not be inconsistent with the safe and efficient operation and maintenance of the City of Gainesville's existing public utility facilities located thereon, or any future public utility facilities that may be situated thereon. Subject also to all above-ground facilities being located outside of roadside recovery areas as specified in the State of Florida Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.
2. Grantee shall, subject to the limits and provisions of Section 768.28, Florida Statutes, protect, defend, hold harmless and indemnify the City of Gainesville, its elected and appointed officers, employees, officials or agents from all claims and suits for damage to property and injury to persons, including death, and all judgments, court costs, attorney's fees and other expenses arising in any manner out of or relating to the existence, operation and maintenance by the State of a public easement for transportation purposes.

3. The City may at the State's, or their successors or assigns, request relocate utilities facilities within the area conveyed but the expenses of any such relocations shall be paid for by the State.

GRANTOR hereby warrants and covenants (a) that GRANTOR is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that GRANTOR has full right and lawful authority to grant and convey this easement to GRANTEE, and © that GRANTEE shall have quiet and peaceful possession, use and enjoyment of this easement.

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 and delivered
in the presence of:

CITY OF GAINESVILLE, FLORIDA

Witness:
Print Name: _____

BY: _____
Print Name: _____

Witness:
Print Name: _____

Mayor

ATTEST: _____
Print Name: _____
Clerk of the Commission

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this _____ day of _____, 2001, by _____, and _____, 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, acknowledged that as such officers, and pursuant to authority from said corporation, they executed the foregoing instrument and affixed the corporate seal all 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.

Print Name: _____
Notary Public, State of Florida
Commission No. and Expiration:

Approved as to Form and Legality

APPROVED AS TO FORM

BY Raymond O. Manasco, Jr.
Raymond O. Manasco, Jr.
Utilities Attorney
City of Gainesville, Florida

Florida Department of
Transportation Attorney

EXHIBIT "A"

A parcel of land in Section 19, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of Section 19, Township 9 South, Range 19 East, Alachua County, Florida; thence run North 00°38'55" West, along the West line of said Section 19, a distance of 50.00 feet to the Northerly right of way line of County Road No. 222 (N.W. 39th Avenue); thence North 89°54'54" East, along said Northerly right of way line, a distance of 0.23 feet; thence North 89°19'30" East, along said Northerly right of way line, a distance of 651.19 feet to the POINT OF BEGINNING; thence North 00°40'30" West, a distance of 20.00 feet; thence North 89°19'30" East, a distance of 50.00 feet; thence South 00°40'30" East, a distance of 20.00 feet to said Northerly right of way line; thence South 89°19'30" West, along said Northerly right of way line, a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 1,000 square feet, more or less.

