

RESOLUTION NO. 140685

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING THE GRANT OF A PERPETUAL DRAINAGE EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

ON MOTION of Commissioner POE, seconded by Commissioner Carter, the following Resolution was adopted;

WHEREAS, the State of Florida Department of Transportation proposes to improvements to Archer Road State Road No. 24, in Alachua County, Florida; and

WHEREAS, the State of Florida Department of Transportation has stormwater drainage rights from Archer Road, State Road No 24, to stormwater retention ponds, located in the Butler Plaza complex; and

WHEREAS, it is necessary that portions of certain public right of way, Southwest 43<sup>rd</sup> Street, maintained by **THE CITY OF GAINESVILLE, FLORIDA**, be used by the State of Florida Department of Transportation for connection of two stormwater retention ponds; and

WHEREAS, said use is in the best interest of the City; and

WHEREAS, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a perpetual easement in favor of the State of Florida Department of Transportation, for the purpose of stormwater drainage connection, thereon with the construction to be undertaken by the Florida Department of Transportation to Archer Road, State Road 24, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the City Commissioners of **THE CITY OF GAINESVILLE, FLORIDA**, that the application of the State of Florida Department of Transportation for a Perpetual Drainage Easement, is for transportation purposes which is in the public or community interest and for public welfare; that a Perpetual Drainage Easement, in favor of the State of Florida Department of Transportation in **THE CITY OF GAINESVILLE, FLORIDA**, should be drawn and executed by this City Commissioners. Consideration shall be \$ \_\_\_\_\_.

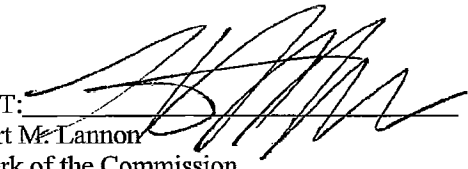
BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at Lake City, Florida.

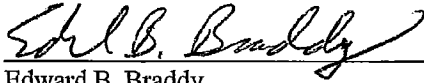
STATE OF FLORIDA  
COUNTY OF ALACHUA

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the City Commissioners of **THE CITY OF GAINESVILLE, FLORIDA**, at a meeting held on the 19<sup>th</sup> day of February, 2015.

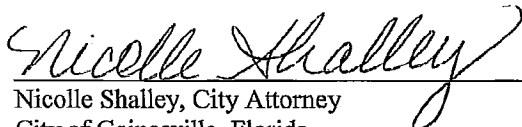
I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the City Commissioners of **THE CITY OF GAINESVILLE, FLORIDA**, at a meeting held on the 19<sup>th</sup> day of February, 2015.

ATTEST:

  
Kurt M. Lannon  
Clerk of the Commission

  
Edward B. Braddy  
Mayor, City of Gainesville, Florida

Approved as to Form and Legality:

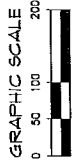
  
Nicolle Shalley, City Attorney  
City of Gainesville, Florida

# SKETCH TO ACCOMPANY DESCRIPTION

SITUATED IN SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST,  
ALACHUA COUNTY, FLORIDA

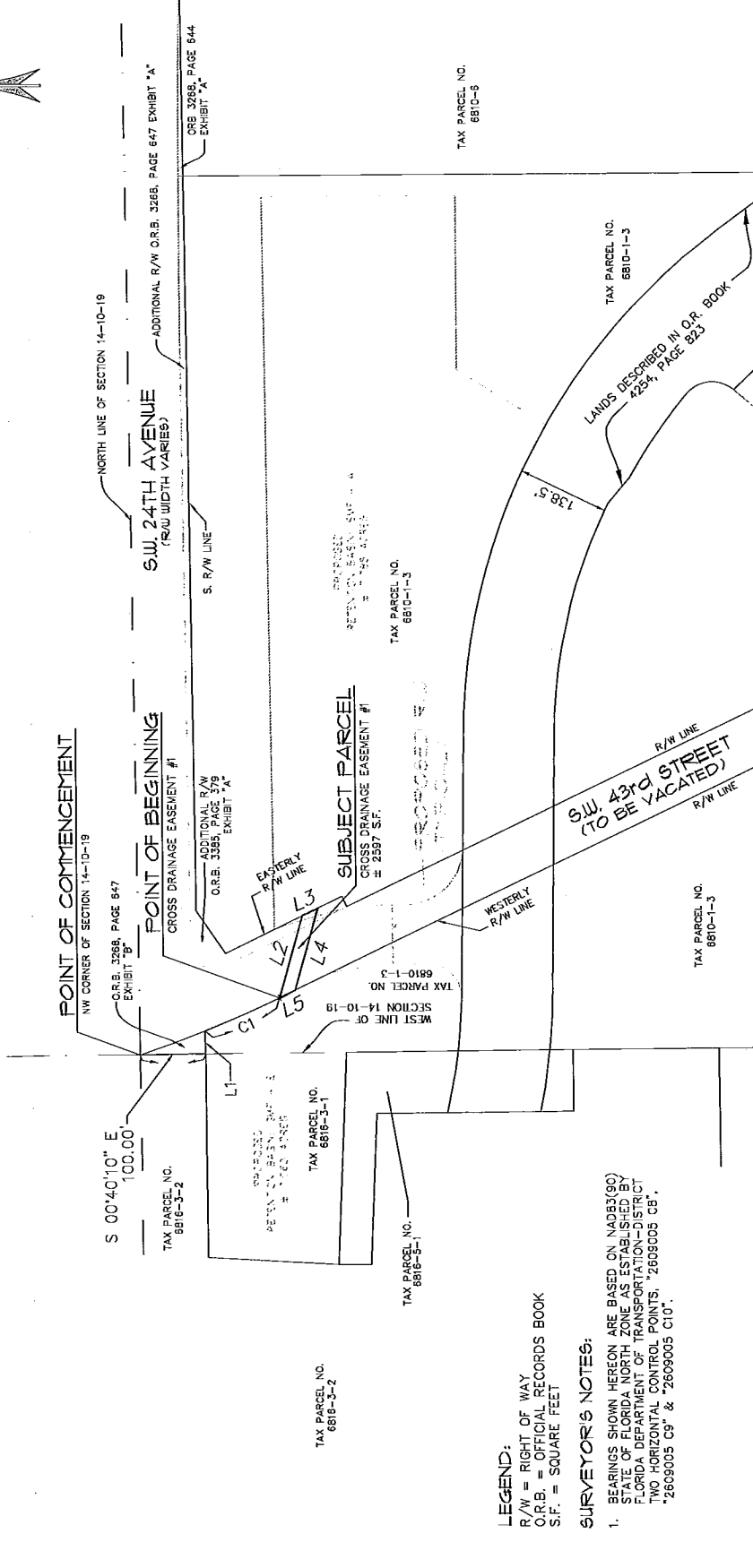
\*SKETCH - NOT A BOUNDARY SURVEY\*

Legislative ID# 140685B



LINE	DIRECTION	LENGTH
L1	N 89°22'13" E	34.96'
L2	S 74°10'56" E	129.87'
L3	S 25°44.47' E	26.73'
L4	N 74°10'56" W	129.84'
L5	N 25°48'29" W	26.75'

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	125.48'	1751.50'	4°06'17"	62.77'	125.45'	S 23°44'00" E



### LEGEND:

- R/W = RIGHT OF WAY
- O.R.B. = OFFICIAL RECORDS BOOK
- S.F. = SQUARE FEET

### SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON NAD83(90) STATE OF FLORIDA NORTH ZONE AS ESTABLISHED BY FLORIDA DEPARTMENT OF TRANSPORTATION-DISTRICT TWO HORIZONTAL CONTROL POINTS: "2609005 C8", "2609005 C9" & "2609005 C10".

CHW  
 Engineering • Surveying • Planning  
 Construction Engineering Inspection  
 722 NW 70th Drive, Gainesville, Florida 32607  
 Phone: (352) 339-8178 • Fax: (352) 339-8179 • www.chw.com

RECORD TO:  
 BUTLER ENTERPRISES, LLC  
 5 CLARK BUTLER ENTERPRISES LAND TRUST  
 DARRYL J. TOMPKINS, PA

PROJECT NO: 13-0445.01  
 PROJECT NAME: [Blank]  
 REVISION DATE: 4-9-2014  
 SURVEY DATE: 1-2007

Professional Surveyor & Mapper Fla. License No. 6791  
 AARON H. HICKMAN

This map prepared by:  
 Certificate of Authentication No. ELS 5075  
 LICENSED SURVEYOR AND MAPPER  
 NOT VALID WITHOUT THE SIGNATURE AND  
 ORIGINAL PAPERED SEAL OF A FLORIDA  
 SURVEYOR



GAINESVILLE:  
132 NW 99th Dr., Gainesville, FL 32607  
P: (352) 331-1976 F: (352) 331-9476

OCALA:  
191 NE 1st Ave., Ocala, FL 34470  
P: (352) 414-6621

WWW.CHW-INC.COM

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**DATE:** August 26, 2014  
**CLIENT:** BUTLER ENTERPRISES  
**PROJECT NAME:** Butler North  
**PROJECT NO:** 13-0445.01  
**DESCRIPTION FOR:** Drainage Crossing Easement #1

A PARCEL OF LAND SITUATED IN SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 14, THENCE SOUTH 0°40'10" EAST, ALONG THE WEST LINE OF SAID SECTION 14, A DISTANCE OF 100.00 FEET; THENCE DEPARTING SAID WEST LINE OF SECTION 14, NORTH 89°22'13" EAST, A DISTANCE OF 34.96 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SW 43<sup>RD</sup> STREET (RIGHT-OF-WAY WIDTH VARIES) AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1751.50 FEET AND BEING SUBTENDED WITH A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 23°44'00" EAST, 125.45 FEET; THENCE, SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°06'17", AN ARC LENGTH OF 125.48 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 74°10'56" EAST ALONG SAID EAST, A DISTANCE OF 129.87 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SW 43<sup>RD</sup> STREET, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3385, PAGE 379 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 25°44'47" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 26.73 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 74°10'56" WEST, A DISTANCE OF 129.84 FEET TO THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 25°48'29" WEST, A DISTANCE OF 26.75 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 2,597 SQUARE FEET, MORE OR LESS.

**ALL AS SHOWN ON THE MAP  
ATTACHED HERewith AND MADE  
A PART HEREOF**

This Instrument prepared by or under  
The direction of: David M. Robertson,  
Chief Counsel District 2  
Florida Department of Transportation  
1109 South Marion Avenue, Mail Station 2009  
Lake City, Florida 32025-5874

PARCEL NO. 821.1  
SECTION NO. 26090-2504  
F.P. NO. N/A  
STATE ROAD NO. 24  
COUNTY OF: Alachua

**PERPETUAL EASEMENT**

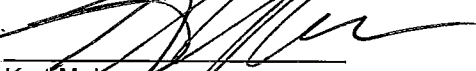
THIS PERPETUAL EASEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the City of Gainesville, Florida, a municipality of the State of Florida, Post Office Box 490, Gainesville, Florida 32602-0490, Grantor, and Mary Jane Fredrickson, Successor Trustee, S. Clark Butler Properties Land Trust dated December 10, 1998, a Florida Land Trust, 3217 SW 35<sup>th</sup> Boulevard, Gainesville, Florida 32608, and the State of Florida Department of Transportation, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, Grantees.

WITNESSETH: That Grantor for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid, the receipt and sufficiency of which Grantor acknowledges, hereby grants unto Grantees, its successors and assigns, a perpetual non-exclusive easement for the purpose draining, retaining, detaining and conveying stormwater in, over, under, upon and through the following described real property in Alachua County, Florida, together with the right to access, observe, inspect, operate, maintain, construct, improve and repair improvements located on or within said real property, to wit:

See **Exhibit "A"**, attached hereto and by reference a part hereof.

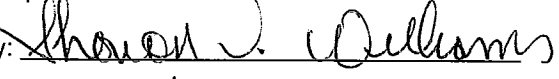
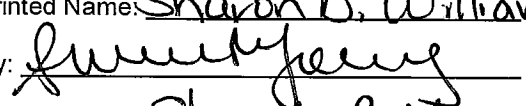
TO HAVE AND TO HOLD the same unto Grantees, their successors and assigns forever, and Grantor hereby covenants with Grantees that Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land, that Grantor hereby fully warrants title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances.

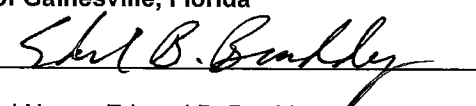
IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

ATTEST:   
Kurt M. Lannon  
Clerk of the Commission

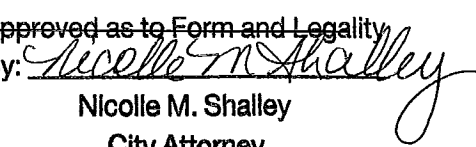
City of Gainesville, Florida  
a municipality of the State of Florida

Signed, sealed and delivered in  
Our presence as witnesses:

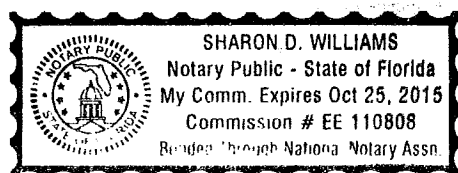
By:   
Printed Name: Sharon D. Williams  
By:   
Printed Name: Shaneka R. Young

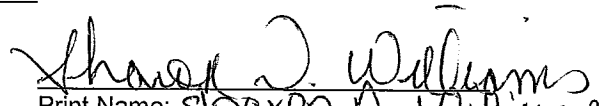
City of Gainesville, Florida  
By:   
Printed Name: Edward B. Braddy  
Title: Mayor

STATE OF FLORIDA  
COUNTY OF ALACHUA

Date: \_\_\_\_\_  
Approved as to Form and Legality  
By:   
Nicolle M. Shalley  
City Attorney

The foregoing instrument was acknowledged before me this 8 day of April, 2015, by Ed Braddy who is personally known to me, or  who produced \_\_\_\_\_ as identification.



  
Print Name: Sharon D. Williams

**Exhibit "A"**

Section No. 26090-2504  
F.P. No. N/A

State Road No. 24

Alachua County

Parcel No. 821

Perpetual Easement

A Parcel Of Land Situated In Section 14, Township 10 South, Range 19 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Northwest Corner Of Said Section 14, Thence South 0°40'10" East, Along The West Line Of Said Section 14, A Distance Of 100.00 Feet; Thence Departing Said West Line Of Section 14, North 89°22'13" East, A Distance Of 34.98 Feet To The Westerly Right-Of-Way Line Of Sw 43rd Street (Right-Of-Way Width Varies) And The Beginning Of A Non-Tangent Curve Concave Northeasterly Having A Radius Of 1751.50 Feet And Being Subtended With A Chord Having A Bearing And Distance Of South 23°44'00" East, 125.45 Feet; Thence, Southerly Along Said Westerly Right-Of-Way Line And The Arc Of Said Curve Through A Central Angle Of 4°06'17", An Arc Length Of 125.48 Feet To The End Of Said Curve And The Point Of Beginning;

Thence Departing Said Westerly Right-Of-Way Line, South 74°10'56" East A Distance Of 129.87 Feet To The Easterly Right-Of-Way Line Of Sw 43rd Street, As Described In Official Records Book 3385, Page 379 Of The Public Records Of Alachua County, Florida; Thence South 25°44'47" East Along Said Easterly Right-Of-Way Line, A Distance Of 26.73 Feet; Thence Departing Said Easterly Right-Of-Way Line, North 74°10'56" West, A Distance Of 129.84 Feet To The Aforementioned Westerly Right-Of-Way Line; Thence Along Said Westerly Right-Of-Way Line, North 25°48'29" West, A Distance Of 26.75 Feet To The Point Of Beginning.

The Above Described Lands Contain 2,597 Square Feet, More Or Less.

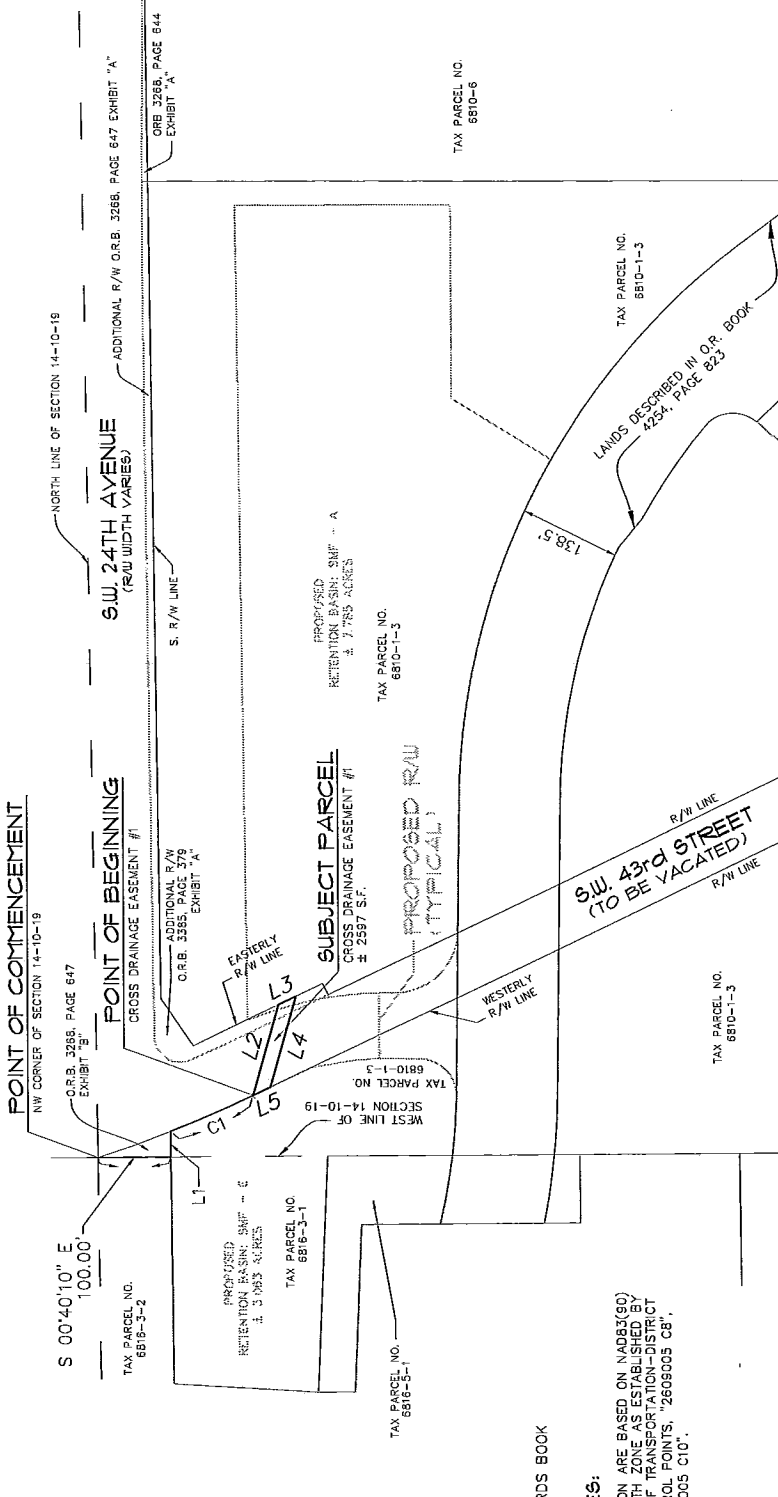
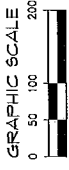
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CHW Construction Engineering & Planning 721 NW 76th Drive, Coke, Florida 32807 Phone (850) 391-9798 • Fax (850) 393-0478 • www.chw.com	PROJECT NUMBER: 13-0445.01 REVISION DATE: 4-9-2014 SURVEY DATE: 1-2007 SCALE: 1" = 200' FIELD BOOK & PAGE:	AARON H. HICKMAN Professional Surveyor & Mapper Fla. License No. 6791	This map prepared by: Certificate of Authorization No. LR 5075 BRUCE HARRIS, C.S., P.E. & A. KIMBERLY LICENSED SURVEYOR AND MAPPER
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