

36-SUB.04-Date: August 5, 2015

This instrument prepared by  
or under the direction of:  
David M. Robertson  
Chief Counsel District Two  
Florida Department of Transportation  
1109 South Marion Avenue  
Lake City, Florida 32025-5874

PARCEL NO. 801.2  
SECTION NO. 26004  
F.P. NO. 4307501  
STATE ROAD NO. 226  
COUNTY OF Alachua

### SUBORDINATION AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
by and between CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose  
mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, hereinafter called the  
"party of the first part", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109  
South Marion Avenue, Lake City, Florida 32025-5874, hereinafter called the "Department".

#### WITNESSETH:

WHEREAS, the party of the first part is the holder of a certain Deed of Easement dated the  
26<sup>th</sup> day of September 1963, and recorded in Official Records Book 247, Page 184, of the Public  
Records of Alachua County, Florida, and;

WHEREAS, a portion of the land encumbered by said Deed of Easement is required by the  
Department for public transportation purposes;

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other  
good and valuable considerations, paid, the receipt and sufficiency of which is hereby acknowledged,  
the party of the first part hereby agrees, covenants, and consents with the Department that the  
aforesaid Deed of Easement is and shall continue to be subject and subordinate to the property  
rights of the Department insofar as said Deed of Easement affects the following described property,  
viz:

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

This subordination agreement shall be binding upon and inure to the benefit of the respective  
heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date 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 the presence of:

Witness: \_\_\_\_\_  
Print Name: \_\_\_\_\_

BY: \_\_\_\_\_  
Edward B. Braddy  
Its Mayor

Witness: \_\_\_\_\_  
Print Name: \_\_\_\_\_

(Corporate Seal)

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Edward B. Braddy and Kurt M. Lannon, the City 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 that as such officers, and pursuant to authority from said corporation, as its act and deed, and for the uses and purposes set forth and contained in said instrument.

(Notary Seal)

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Approved as to Form and Legality:

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
City Attorney

**Exhibit "A"**

Section No. 26004  
F.P. No. 4307501

State Road No. 226

Alachua County

Parcel No. 801

A perpetual easement for the purpose of constructing and maintaining a traffic signal mast arm, curb ramp and pedestrian signal features, in, over, under, upon and through the following described land in Alachua County, Florida, to wit:

Part "A"

A Part Of Lot 7 Of McDonald Acres, As Recorded In Deed Book "D", Page 22 Of The Public Records Of Alachua County, Florida, Lying In Section 7, Township 10 South, Range 20 East, Alachua County, Florida, And Being More Particularly Described As Follows:

**Commence** At The 4"x4" Concrete Monument With No Identification Markings Located At The Northeast Corner Of McDonald Acres, As Recorded In Plat Book "D", Page 22 Of Said Public Records Of Alachua County, And On The East Line Of Said Section 7; Thence South 04°09'13" West, Along The East Line Of Said McDonald Acres And Said East Line Of Section 7, A Distance Of 396.43 Feet To The Northeast Corner Of Flewellen Estates, As Recorded In Plat Book "F", Page 17 Of Said Public Records; Thence Continue South 04°09'13" West, Along Said East Lines Of McDonald Acres And Section 7, And Along The East Line Of Said Flewellen Estates, A Distance Of 157.10 Feet To The Centerline Of Survey Of State Road Number 226 (S.W. 16th Avenue, Per Florida Department Of Transportation Right Of Way Map Section Number 26004, F.P. # 4307501); Thence South 72°06'21" West, Departing Said East Lines And Along Said Centerline Of Survey Of State Road Number 226, A Distance Of 464.59 Feet; Thence North 17°53'39" West, Departing Said Centerline Of Survey Of State Road Number 226, A Distance Of 54.00 Feet To The Northerly Existing Right Of Way Line Of Said State Road Number 226 And The **Point Of Beginning**; Thence Continue North 17°53'39" West, A Distance Of 4.31 Feet; Thence North 72°06'21" East, A Distance Of 21.33 Feet To Said Northerly Existing Right Of Way Line; Thence South 38°26'59" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 7.78 Feet; Thence South 72°06'21" West, Continuing Along Said Northerly Existing Right Of Way Line, A Distance Of 14.86 Feet To The **Point Of Beginning**.

Containing 78 Square Feet, More Or Less.

ALSO:

Part "B"

A Part Of Lot 7 Of McDonald Acres, As Recorded In Deed Book "D", Page 22 Of The Public Records Of Alachua County, Florida, Lying In Section 7, Township 10 South, Range 20 East, Alachua County, Florida, And Being More Particularly Described As Follows:

**Commence** At The 4"x4" Concrete Monument With No Identification Markings Located At The Northeast Corner Of McDonald Acres, As Recorded In Plat Book "D", Page 22 Of Said Public Records Of Alachua County, And On The East Line Of Said Section 7; Thence South 04°09'13" West, Along The East Line Of Said McDonald Acres And Said East Line Of

Section 7, A Distance Of 396.43 Feet To The Northeast Corner Of Flewellen Estates, As Recorded In Plat Book "F", Page 17 Of Said Public Records; Thence Continue South 04°09'13" West, Along Said East Lines Of McDonald Acres And Section 7, And Along The East Line Of Said Flewellen Estates, A Distance Of 157.10 Feet To The Centerline Of Survey Of State Road Number 226 (S.W. 16th Avenue, Per Florida Department Of Transportation Right Of Way Map Section Number 26004, F.P. # 4307501); Thence South 72°06'21" West, Departing Said East Lines And Along Said Centerline Of Survey Of State Road Number 226, A Distance Of 454.43 Feet; Thence North 04°42'19" East, Departing Said Centerline Of Survey Of State Road Number 226, A Distance Of 76.23 Feet To The Northerly Existing Right Of Way Line Of Said State Road Number 226, The Westerly Existing R/W Line (Per Monumentation) Of SW 16<sup>th</sup> Street, And The **Point Of Beginning**; Thence South 38°26'59" West, Along Said Northerly Existing Right Of Way Line, A Distance Of 21.60 Feet; Thence North 04°42'19" East, Departing Said Northerly Existing Right Of Way Line, A Distance Of 17.96 Feet; Thence South 85°17'41" East, A Distance Of 12.00 Feet To The **Point Of Beginning**.

Containing 108 Square Feet, More Or Less.