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City of Gainesville

Text File

City Hall
200 East University Avenue
Gainesville, Florida 32601

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Version: 1

Status: Adopted

..Title

Resolution for Granting a Temporary Easement Along SW 36th Street to FDOT (B)

..Explanation

The Florida Department of Transportation (FDOT) is reconstructing SR 26 (University Avenue) and SR 26-A (SW 2nd Avenue) from SW 38th Street to North-South Drive. FDOT is requesting the City grant a temporary easement for a parcel located on SW 36th Street, between the south side of SR 26 and SR 26-A, for the purpose of tying in and harmonizing driveways and walkways.

..Fiscal Note

There is no fiscal impact from this request.

..Recommendation

The City Commission: 1) adopt the Resolution; and 2) authorize the Mayor to execute a temporary easement to FDOT for a parcel located on SW 36th Street, between the south side of SR 26 and SR 26-A, for the purpose of tying in driveways and walkways along SW 36th Street.

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1943978 3 PGS

2003 JUN 12 10:37 AM BK 2689 PG 1045

J. K. "BUDDY" IRBY
CLERK OF CIRCUIT COURT
ALACHUA COUNTY, FLORIDA
CLERK10 Receipt#143282

08-TE.13-December-27, 2002

This Instrument Prepared By or
Under the Direction of:
Kenneth S. Davis
District General Counsel
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874



1943978

RETURN TO: Dale Menninger
FL Department of Transportation
1109 South Marion Avenue - MS 2020
Lake City, FL 32025-5874

PARCEL NO. 709.1
SECTION 26070-2570
F.P. NO. 2077901
STATE ROAD 26-A
COUNTY OF Alachua

TEMPORARY EASEMENT

THIS EASEMENT, made this 27 day of May, 2003, by the
CITY OF GAINESVILLE, FLORIDA, a municipality, of the State of Florida, GRANTOR, and
the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion
Avenue, Lake City, Florida 32025-5874, its successors and assigns, GRANTEE:

WITNESSETH that for and in consideration of the sum of One Dollar (\$1.00) and other
valuable considerations, receipt and sufficiency of which is hereby acknowledged, the
GRANTOR hereby gives, grants, bargains and releases to the GRANTEE, a temporary easement
for the purpose of tying in and harmonizing said property and the driveways, walkways, etc.,
thereon with the construction to be undertaken by the Department, in State Road 26-A adjacent
thereto, in, upon, over and through the following described land in Alachua County, Florida, viz:

PARCEL NO. 709 TEMPORARY CONSTRUCTION EASEMENT SECTION 26070-2570
F.P. NO. 2077901

A parcel of land within S.W. 36th Street in Gainesville, Alachua County, Florida, lying in Section
2, Township 10 South, Range 19 East, and being more particularly described as follows:

Commence at the northeast corner of said Section 2; Thence run South 01° 02' 02" East, along
the east line of said Section 2, and the centerline of State Road No. 121 (N.W. 34th Street), a
distance of 2,679.26 feet to the intersection of the centerline of said State Road No. 121, with the
centerline of State Road No. 26 (West University Avenue); Thence run South 83° 37' 18" West,
along the centerline of State Road No. 26, a distance of 583.55 feet to the Point of Curvature of a
curve concave northerly, with a radius of 7,639.44 feet; Thence run southwesterly along the arc
of said curve and along said centerline, through a central angle of 04° 51' 21", an arc distance of
647.44 feet to the Point of Tangency of said curve; Thence run South 88° 28' 38" West along
said centerline, a distance of 34.22 feet; Thence run South 00° 50' 43" East, along the northerly
projection of the easterly right of way line of S.W. 36th Street, a distance of 74.71 feet to the
Point of Beginning; Thence continue South 00° 50' 43" East, along the said easterly right of
way of S.W. 36th Street, a distance of 236.55 feet to the intersection with the northerly right of
way line of State Road No. 26-A; Thence run North 76° 13' 50" West, a distance of 103.36 feet
to the intersection with the westerly right of way line of S.W. 36th Street; Thence run North 00°
50' 42" West, along the said westerly right of way line of S.W. 36th Street, a distance of 208.70
feet to the Point of Curvature of a curve concave southwesterly, with a radius of 25.00 feet, a
chord bearing of North 46° 11' 02" West, and a chord distance of 35.56 feet; Thence run
northwesterly along the arc of said curve; Through a central angle of 90° 40' 39", an arc
distance of 39.57 feet to the Point of Tangency of said curve and the intersection with the
southerly right of way line of said State Road No. 26 (West University Avenue); Thence run
North 88° 28' 38" East, along the said southerly right of way line, a distance of 150.03 feet to the
Point of Curvature of a curve concave southerly, with a radius of 25.00 feet, a chord bearing of
South 43° 48' 58" West, and a chord distance of 35.15 feet; Thence run southwesterly along the
arc of said curve, through a central angle of 89° 19' 22", and an arc distance of 38.97 feet to the said
Point of Tangency of said curve and the Point of Beginning.

Containing 0.575 acres, more or less.

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INSTRUMENT # 1943978
3 PGS

THIS EASEMENT is granted upon the condition that any work performed upon the above described land shall conform to all existing structural improvements within the limits designated, and all work will be performed in such a manner that the existing structural improvements will not be damaged.

IT IS UNDERSTOOD AND AGREED by the parties hereto that the rights granted herein shall terminate upon completion of this transportation project, but no later than the last day of December 2006.

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:

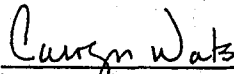
CITY OF GAINESVILLE, FLORIDA
Post Office Box 490
Gainesville, Florida 32602-0490

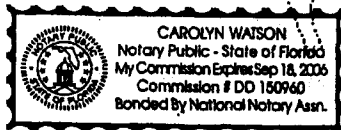

Kurt M. Lannon, Clerk of the Commission


Thomas D. Bussing, Mayor

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 27th day of May, 2003, by Thomas D. Bussing and Kurt M. Lannon, the City Mayor and Clerk of the Commission, respectively, and 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 Public
My Commission Expires:



Approved as to Form and Legality:


Marion J. Radson, City Attorney

MAY 19 2003

TE.14-December 27, 2002

This Instrument Prepared by or Under the Direction of:
Kenneth S. Davis
District General Counsel
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 709.1
SECTION 26070-2570
F.P. NO. 2077901
STATE ROAD 26-A
COUNTY OF Alachua

RESOLUTION 021067

ON MOTION of Commissioner Chestnut, seconded by Commissioner Domenech, the following Resolution was adopted;

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 26-A, Section No. 26070-2570, F.P. No. 2077901, in Alachua County, Florida; and

WHEREAS, it is necessary that certain lands now owned by THE CITY OF GAINESVILLE, FLORIDA, be used temporarily by the State of Florida Department of Transportation; 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 temporary easement, or easements, in favor of the State of Florida Department of Transportation, for the purpose of lying in and harmonizing said property and the driveways, walkways, etc., thereon with the construction to be undertaken by the Department, in State Road 26-A adjacent thereto, and said request having been duly considered.

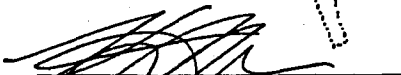
NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of THE CITY OF GAINESVILLE, FLORIDA, that the application of the State of Florida Department of Transportation for a temporary easement, or easements, is for transportation purposes which is in the public or community interest and for public welfare; that a temporary easement, or easements, in favor of the State of Florida Department of Transportation in THE CITY OF GAINESVILLE, FLORIDA, should be drawn and executed by this Board of City Commissioners. Consideration shall be \$1.00.


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 Board of City Commissioners of THE CITY OF GAINESVILLE, FLORIDA, at a meeting held on the 12th day of May, 2003.

ATTEST:


Kurt M. Lannon, Clerk of the Commission
City of Gainesville, Florida


Thomas D. Bussing, Mayor
City of Gainesville, Florida

Approved as to Form and Legality:


Marion J. Reason, City Attorney
City of Gainesville, Florida

MAY 19 2003