

Legislative ID# 160207A

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INSTRUMENT # 2394416 4 PGS

2007 DEC 21 01:32 PM BK 3721 PG 801

J. K. "BUDDY" IRBY

CLERK OF CIRCUIT COURT

ALACHUA COUNTY, FLORIDA

CLERK25 Receipt#356815

Doc Stamp-Deed: 2,394.00

This Instrument Prepared by:  
Sam Bridges, Land Rights Coordinator  
City of Gainesville - Public Works #58  
Post Office Box 490  
Gainesville, Florida 32602-0490

Tax Parcel # 14589-000-000  
Section 5, Township 10 South, Range 20 East

Return to  
First American Title Ins Co  
2632 NW 43rd Street  
Building C  
Gainesville, FL 32606  
35.50  
2394.00



**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** made the 19<sup>th</sup> day of December, 2007, by the **City of Gainesville, Florida**, a municipal corporation existing under the laws of the State of Florida, with its permanent post office address at Post Office Box 490, Gainesville, Florida 32602-0490, **GRANTOR**, to **First Street Lodging, LLC**, a South Carolina limited liability company, whose mailing address is 25 Woods Lake Road, Suite 600, Greenville, South Carolina 29607, **GRANTEE**:

*(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires)*

**WITNESSETH:** That Grantor, for and in consideration of the sum of \$1.00 in hand paid by the Grantee, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate and lying in the County of Alachua, State of Florida, to wit:

**Legal Description**

**See EXHIBIT "A" attached hereto and by this reference made a part hereof**

**SUBJECT** to valid and enforceable zoning restrictions imposed by governmental authority, valid and enforceable easements and restrictions of record and taxes for 2007 and subsequent years.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the Grantor hereby covenants with said Grantee, except as set forth herein, that at the time of delivery of this deed the land was free from all encumbrances made by it, and that it will warrant and defend the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

**AND FURTHER PROVIDED** that, subject to the rights of the Grantee as to notice and cure as set forth in that certain Agreement for Development and Disposition of Property dated December 14, 2007, by and between the Gainesville Community Redevelopment Agency and the Grantee (the "Agreement"), the Grantor shall have the absolute right, but not the obligation, to cause the title to the Property to revert to the Grantor, if: a) the Grantee fails to perform or comply with the material portions of the Agreement; b) prior to the date provided in the Agreement, or such later date as the Gainesville Community Redevelopment Agency and the Grantee may agree by appropriate amendment to the Agreement as the deadline for completion of the initial improvements on the Property (the "Completion Date"), there is a default by the Grantee under the documents evidencing the mortgage loan for the construction of improvements on the Property, which has not been cured; or c) the Grantee does not commence construction as provided in the Agreement or complete the construction of improvements on the Property before the Completion Date as provided in the Agreement. Construction shall be deemed commenced and completed as described in the Agreement. To exercise its right to the reversionary interest, the Grantor shall record an Affidavit to that effect among the public records of Alachua County, Florida on or before the 120th day following the Commencement Date or Completion Date, as the case may be, (the "Reversion Deadline Date") and upon such recording, title to the Property shall revert to the Grantor as of the date of such recording, but not otherwise. If the Grantor has not recorded such an affidavit on or before the Reversion Deadline Date, then the right of reversion shall automatically become null and void, and the Property shall be automatically released of such reversion. The foregoing provision shall be self-operative. In addition, the Grantor agrees to execute at the Grantee's request a recordable release evidencing the expiration of such reversion.

**IN WITNESS WHEREOF**, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed & delivered  
In the Presence of:

CITY OF GAINESVILLE, FLORIDA  
A Florida Municipal Corporation

Neomia Brown  
Print Name Neomia Brown

Pegeen Hanrahan  
Pegeen Hanrahan, City Mayor

Debra S. Hirneise  
Print Name Debra S. Hirneise

APPROVED AS TO FORM AND LEGALITY  
Nicole M. Shalley  
Nicole M. Shalley, Asst. City Atty. II  
City of Gainesville, Florida

ATTEST:

Kurt M. Lamber  
Kurt M. Lamber, Clerk of the Commission

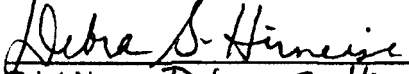
*EXHIBIT "A"*

A PARCEL OF LAND LOCATED IN BLOCK 4, RANGE 2 OF THE ORIGINAL PLAT OF GAINESVILLE, AS RECORDED IN DEED BOOK "N", PAGE 403 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF BLOCK 4, RANGE 2 OF THE ORIGINAL PLAT OF GAINESVILLE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN NORTH 89° 01' 47" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SOUTHEAST FIRST AVENUE, A DISTANCE OF 106.61 FEET TO THE WEST BUILDING FACE OF THE STAR GARAGE; THENCE RUN SOUTH 01° 01' 06" EAST ALONG THE WEST BUILDING FACE OF THE STAR GARAGE, A DISTANCE OF 200.67 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SOUTHEAST SECOND AVENUE; THENCE RUN SOUTH 89° 01' 47" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHEAST SECOND AVENUE, A DISTANCE OF 106.42 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTHEAST FIRST STREET, ALSO BEING THE SOUTHWEST CORNER OF BLOCK 4, RANGE 2 OF THE ORIGINAL PLAT OF GAINESVILLE; THENCE RUN NORTH 01° 04' 22" WEST, ALONG THE EAST RIGHT-OF-WAY OF SOUTHEAST FIRST STREET, A DISTANCE OF 200.67 FEET TO THE POINT OF BEGINNING.

**STATE OF FLORIDA  
COUNTY OF ALACHUA**

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of December, 2007, by Pegeen Hanrahan 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.

  
Print Name: Debra S. Hirneise  
Notary Public, State of Florida  
My Commission Expires: Aug 14, 2009

