

23-UTL.04-March 07, 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. 800.3
SECTION 26010
F.P. NO. 2078494
STATE ROAD 25 (U.S. 441)
COUNTY OF Alachua

SUBORDINATION OF CITY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1901 South Marion Street, Post Office Box 1089, Lake City, Florida 32056-1089, hereinafter called the FLORIDA DEPARTMENT OF TRANSPORTATION, and CITY OF GAINESVILLE, FLORIDA, hereinafter called City.

W I T N E S S E T H:

WHEREAS, the City presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by City to the Florida Department of Transportation; and

WHEREAS, the Florida Department of Transportation is willing to pay to have the City's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, City and Florida Department of Transportation agree as follows:

City hereby subordinates to the interest of Florida Department of Transportation, its successors, or assigns, any and all of its interest in the lands as follows, viz:

PARCEL NUMBER 800

SECTION 26010

PART "A"

A parcel of land in Section 8, Township 10 South, Range 20 East, Alachua County, Florida, being more particularly described as follows:

BEGIN at the intersection of the existing Northerly right of way line of S.W. 9th Avenue, with the existing Easterly right of way line of State Road 25 (U.S. 441) (S.W. 13th Street) (an 80.00 foot right of way); thence run North 89°01'21" East, along said existing Northerly right of way line, a distance of 11.00 feet; thence run North 24°52'51" West, a distance of 27.35 feet to a point on said existing Easterly right of way line; thence run South 01°09'40" East, along said existing Easterly right of way line, a distance of 25.00 feet to the POINT OF BEGINNING.

Containing 138 square feet, more or less.

IN WITNESS WHEREOF, the Florida Department of Transportation hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Witness: _____
Print Name: _____

BY: _____
David L. Byrd
District Director
of Production

Witness: _____
Print Name: _____

District Two

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, District Director of Production, District Two, who is personally known to me to be the person who executed the foregoing instrument and who did not take an oath.

Print Name: _____
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by its Board of City Commissioners acting the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____

CITY OF GAINESVILLE, FLORIDA

Print Name: Kurt M. Lannon
Clerk of the Commission
Clerk (or Deputy Clerk)

By Its Board of City
Commissioners

BY: _____

Print Name: Thomas D. Bussing
Mayor
Its Chairperson
(or Vice-Chairperson)

Signed, sealed and delivered in
the presence of:

Witness:
Print Name: _____

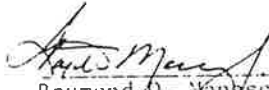
Witness:
Print Name: _____

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this
_____ day of _____, 20_01, by Thomas D. Bussing,
Mayor of the City of Gainesville, who is personally known to me or
who has produced _____
as identification.

Print Name: _____
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

Approved as to form and legality:



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

