

**Legislative #
170660B**

THIS DOCUMENT WAS PREPARED BY
AND AFTER RECORDING, RETURN TO:

HOLLAND & KNIGHT LLP
50 North Laura Street, Suite 3900
Jacksonville, FL 32202
Attn: Melissa S. Turra, Esq.

AMENDMENT TO DECLARATION OF EASEMENTS

This **AMENDMENT TO DECLARATION OF EASEMENTS** (this "**Amendment**") is made as of _____, 2018, by **THE CITY OF GAINESVILLE, FLORIDA** ("**Declarant**").

A. Declarant created easements for cross access, parking, drainage, and utilities on, over and across certain real property pursuant to that certain Declaration of Easements dated February 12, 2018, and recorded on February 15, 2018, in Official Records Book 4576, page 1745, of the public records of Alachua County, Florida (the "Easement Declaration").

B. Declarant owns that certain real property in Alachua County, Florida, more particularly described on **Substitute Exhibit "A"**, attached hereto and incorporated herein by reference.

C. Declarant owns that certain real property in Alachua County, Florida, more particularly described on **Substitute Exhibit "B"**, attached hereto and incorporated herein by reference.

D. Subsequent to the creation of the Easement Declaration, the Declarant subjected the property described on **Substitute Exhibit "B"** to that certain Declaration of Condominium of Cornerstone, a Condominium, dated February 12, 2018, and recorded on February 15, 2018, in Official Records Book 4576, page 1752, of the public records of Alachua County, Florida (the "Condominium Declaration").

E. Declarant has discovered errors in the legal descriptions attached as **Exhibit "A"** and **Exhibit "B"** to the Easement Declaration and desires to effect this Amendment to correctly describe Declarant's Property, as said term is defined in the Easement Declaration.

F. Pursuant to paragraph 8 of the Easement Declaration, the Easement Declaration may not be modified or terminated except by the consent of all the owners of Parcel 1 and Parcel 2, as said terms are defined in the Easement Declaration, in a written instrument duly acknowledged and recorded in Alachua County, Florida. Declarant remains the sole and current owner of Parcel 1 and Parcel 2.

NOW, THEREFORE, in consideration of \$10.00 and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant states as follows:

1. **Exhibit "A" ("Parcel 1")**. The legal description for **Exhibit "A"** (Parcel 1) is hereby amended and restated in its entirety with the legal description attached hereto as **Substitute Exhibit "A"**.

2. **Exhibit "B" ("Parcel 2")**. The legal description for **Exhibit "B"** (Parcel 2) is hereby amended and restated in its entirety with the legal description attached hereto as **Substitute Exhibit "B"**.

3. Except as herein amended, the terms and conditions of the Easement Declaration remain in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.
SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, this Amendment has been executed as of the day and year first above written.

WITNESSES:

DECLARANT:

Print Name: _____

**THE CITY OF GAINESVILLE,
FLORIDA**

Print Name: _____

By: _____
Name: _____
Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 201__, by _____, the _____ of the City of Gainesville, Florida. He/she who is personally known to me OR has produced _____ as identification.

(SEAL)

Printed/Typed Name: _____
Notary Public-State of _____
Commission Number: _____

Substitute Exhibit "A"

Parcel 1 - Legal Description

A portion of Lot 105, LESS the West 20 feet for right-of-way, NEW GAINESVILLE, a subdivision per Plat Book "A", Page 66 of the Public Records of Alachua County, Florida, and a portion of hat part of Lot 88, NEW GAINESVILLE, a subdivision per Plat Book "A", Page 66 of the Public Records of Alachua County, Florida, lying Southerly of State Road No. 20, being more particularly described as follows:

Commence at the Southwest corner of Lot 105, NEW GAINESVILLE, a subdivision as per Plat Book 'A', Page 66, of the Public Records of Alachua County, Florida; thence run N89°08'02"E a distance of 20.00 feet; thence run N00°37'01"W a distance of 786.32 feet; thence run N58°43'38"E a distance of 26.83 feet to the South right-of-way line of Hawthorne Road, A.K.A State Road Number 20; thence run S60°55'34"E along said right-of-way a distance of 162.91 feet to the Point of Beginning; thence continue S60°55'34"E along said right of way a distance of 165.71 feet; thence run S00°42'38"E a distance of 46.00 feet; thence run S28°55'56"W a distance of 160.50 feet; thence run N60°47'53"W a distance of 189.00 feet; thence run N29°05'11"E a distance of 200.00 feet to the Point of Beginning.
Containing 0.86 ACRES MORE OR LESS.

Substitute Exhibit "B"

Parcel 2 - Legal Description

A portion of Lot 105, LESS the West 20 feet for right-of-way, NEW GAINESVILLE, a subdivision per Plat Book "A", Page 66 of the Public Records of Alachua County, Florida, and that part of Lot 88, NEW GAINESVILLE, a subdivision per Plat Book "A", Page 66 of the Public Records of Alachua County, Florida, lying Southerly of State Road No. 20 and that portion of Lot 106, NEW GAINESVILLE, a subdivision per Plat Book "A", Page 66 of the Public Records of Alachua County, Florida, lying South and West of the centerline of State Road No. 20 Less that part conveyed to the City of Gainesville in Official Records Book 2084, page 2793 of the Public Records of Alachua County, and that portion of Lot 107 as recorded in O.R.B. 2208, Page 1740 of the Public Records of Alachua County, Florida, and LESS lands described as Parcel 1 in the lot split survey drawing 057-16-27-LS1, created on January 19, 2018, by JBrown Professional Group, and being more particularly described as follows:

Commence at the Southwest corner of Lot 105, NEW GAINESVILLE, a subdivision as per Plat Book 'A', Page 66, of the Public Records of Alachua County, Florida; thence run N89°08'02"E a distance of 20.00 feet to the Point of Beginning; thence run N00°37'01"W a distance of 786.32 feet; thence run N58°43'38"E a distance of 26.83 feet to the South right-of-way line of Hawthorne Road, A.K.A State Road Number 20; thence run S60°55'34"E along said right-of-way a distance of 162.91 feet; thence run S29°05'11"W, a distance of 200.00 feet; thence run S60°47'53"E, a distance of 189.00 feet; thence run N28°55'56"E, a distance of 160.50 feet; thence run N00°42'38"W, a distance of 46.00 feet to the previously mentioned South right-of-way line of Hawthorne Road, A.K.A State Road Number 20; thence run S60°55'34"E, along said South right-of-way, a distance of 378.55 feet; thence run S00°51'33"E a distance of 346.85 feet; thence run N89°08'02"E a distance of 150.60 feet; thence run S00°51'33"E a distance of 1.93 feet to the North right-of-way line of S.E. 8th Avenue and a point on a non-tangent curve concave northwesterly, said curve having a radius of 450.00 feet, a central angle of 35°18'13", and a chord bearing and distance of S71°25'03"W and 272.91 feet, respectively; thence run along said curve and said right-of-way a distance of 277.27 feet; thence run S89°04'41"W along said right-of-way a distance of 70.18 feet; thence run S00°53'16"W along said right-of-way a distance of 15.10 feet; thence run S89°08'02"W along said right-of-way a distance of 459.75 feet to the Point of Beginning. All lands situated and lying in Section 3, Township 10 South, Range 20 East.