

08-TE.13-February 5, 2004

T. S. # - R/W Map Sheet #4  
Tax Parcel No.

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  
(Replacement Temporary Easement)  
SECTION 26070-2570  
F.P. NO. 2077901  
STATE ROAD 26-A  
COUNTY OF Alachua

**REPLACEMENT TEMPORARY EASEMENT**

THIS REPLACEMENT TEMPORARY EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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.

**NOTE:** THE PURPOSE OF THIS REPLACEMENT TEMPORARY EASEMENT IS TO REPLACE THAT CERTAIN TEMPORARY EASEMENT EXECUTED MAY 27, 2003, AND RECORDED IN OFFICIAL RECORDS BOOK 2689, PAGE 1045, ON JUNE 12, 2003, IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

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; and the construction of a pool with fountain, underground pump/electrical system, seatwall and landscaping, 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. 36<sup>TH</sup> 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. 34<sup>TH</sup> ST.), A DISTANCE OF 2679.26 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID STATE ROAD NO. 121, WITH THE CENTERLINE OF STATE ROAD NO. 26 (W. UNIVERSITY AVE.); 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 7639.44 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. 36<sup>TH</sup> 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. 36<sup>TH</sup> 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. 36<sup>TH</sup> STREET; THENCE RUN NORTH 00°50'42" WEST, ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF S.W. 36<sup>TH</sup> 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 (W. UNIVERSITY AVE.); 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", 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.

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 July, 2008.

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  
Post Office Box 490  
Gainesville, Florida 32602-0490

Signed, sealed and delivered in  
the presence of:

BY: \_\_\_\_\_  
Thomas D. Bussing  
Its Mayor

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

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

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by THOMAS D. BUSSING 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: \_\_\_\_\_  
NOTARY PUBLIC  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_

Approved as to Form and Legality:

\_\_\_\_\_  
Marion J. Radson, City Attorney.

TE.14-February 5, 2004

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

### R E S O L U T I O N

ON MOTION of Commissioner \_\_\_\_\_,  
seconded by Commissioner \_\_\_\_\_,  
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 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, 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 \$\_\_\_\_\_.

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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Clerk, Board of City Commissioners  
City of Gainesville, Florida