## **RESOLUTION NO. 140684**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING THE GRANT OF A PERPETUAL EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

ON	MOTION	of Commissioner	- POL	,	seconded	by
Commissione	Carter		, the following Resolution was adopted;			

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 26, Section No. 26130, Segment No. 4307591, in Alachua County, Florida; and

WHEREAS, it is necessary that portions of certain right of ways, Northeast 14<sup>th</sup> and 15<sup>th</sup> Streets and Southeast 14<sup>th</sup> and 15<sup>th</sup> Streets, maintained by **THE CITY OF GAINESVILLE**, **FLORIDA**, be used 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 Perpetual Easement, or easements, in favor of the State of Florida Department of Transportation, for the purpose of signal light replacement, etc., thereon with the construction to be undertaken by the Department, in State Road 26 adjacent thereto, and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the City Commissioners of **THE CITY OF GAINESVILLE**, **FLORIDA**, that the application of the State of Florida Department of Transportation for a Perpetual Easement, or easements, is for transportation purposes which is in the public or community interest and for public welfare; that a Perpetual 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 the Mayor on behalf of the City.

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 City Commissioners of THE CITY OF GAINESVILLE, FLORIDA, at a meeting held on the 19<sup>th</sup> day of February, 2015.

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by the City Commissioners of THE CITY OF GAINESVILLE, FLORIDA, at a meeting held on the 19<sup>th</sup> day of February, 2015.

Kurt M. Lannon

Clerk of the Commission

Edward B. Braddy

Mayor, City of Gainesville, Florida

Approved as to Form and Legality:

Nicolle Shalley, City Attorney City of Gainesville, Florida

07-PE.13-Date: September 4, 2014

T. S. No. N/A (Roads)
Map Sheet No. 2, 3
Tax Parcel No. N/A (Roads)

This instrument prepared by or under the direction of:
David M. Robertson
Chief Counsel District Two
Florida Department of Transportation
1109 South Marion Avenue
Lake City, Florida 32025-5874

PARCEL NO. 800.1 SECTION NO. 26130 F.P. NO. 4307591 STATE ROAD NO. 26 COUNTY OF ALACHUA

## PERPETUAL EASEMENT

THIS EASEMENT, made this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20\_\_\_\_, by the CITY OF GAINESVILLE, FLORIDA, a municipality of the State of Florida, whose mailing address is Post Office Box 490, Gainesville, Florida 32602-0490, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for the purpose of constructing and maintaining a Roadway, and Traffic Signal Loops in, over, under, upon and through the following described land in Alachua County, Florida, viz:

SEE Exhibit "A", attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever.

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 a municipality of the State of Florida Clerk of the Commission Signed, sealed and delivered in the presence of: Witness: Print Name: \ Its Mayor Print Name: (Corporate Seal) STATE OF FLORIDA COUNTY OF ALACHUA The foregoing instrument was acknowledged before me this \_, 20<u>15</u>, by Edward B. Braddy 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 (Notary Seal) My Commission Expires: 1 SHARON D. WILLIAMS Approved as to Form and Legality: Notary Public - State of Florida My Comm. Expires Oct 25, 2015 Commission # EE 110808 Bonded Through National Notary Assn Print Name: /

City Attorney

## Exhibit "A"

Section No. 26130 F.P. NO. 4307591 State Road No. 26

Alachua County

Parcel No. 800 Part "A"

Perpetual Easement

That Part Of:

A Parcel Of Land In Section 4, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Intersection Of The Centerline Of Survey Of State Road No 20 And The Centerline Of Survey Of State Road Number 26 (University Avenue), As Shown On Florida Department Of Transportation Right Of Way Map Financial Project Number 4307591. Section 26130; Thence North 89°00'48" East, Departing Said Centerline Of Survey Of State Road Number 20 And Along Said Centerline Of Survey Of State Road Number 26, A Distance Of 0.76 Feet: Thence North 00°53'39" West, Departing Said Centerline Of Survey, A Distance Of 70,45 Feet To The Intersection Of The Northerly Existing Right Of Way Line Of Said State Road Number 26 And The Westerly Line Of Block C Of Lakeway Grove, A Subdivision As Recorded In Plat Book "C", Page 14 Of The Public Records Of Alachua County, Florida, And The Point Of Beginning, Thence Continue North 00°53'39" West, Departing Said Northerly Existing Right Of Way Line And Along Said Westerly Line, A Distance Of 13.06 Feet; Thence South 89°26'04" West, Departing Said Westerly Line, A Distance Of 36.78 Feet; Thence North 00°59'12" West, A Distance Of 24.86 Feet; Thence South 89°00'48" West, A Distance Of 15.69 Feet; Thence South 00°59'12" East, A Distance Of 24.74 Feet; Thence South 89°26'04" West, A Distance Of 27.53 Feet To A Point Lying On The Easterly Line Of Block 20 Of New Gainesville, A Subdivision As Recorded In Plat Book "A", Page 65 Of The Public Records Of Alachua County, Florida; Thence South 00°53'39" East, Along Said Easterly Line, A Distance Of 13.06 Feet To The Intersection Of Said Easterly Line And Said Northerly Existing Right Of Way Line Of State Road Number 26; Thence North 89°26'04" East, Departing Said Easterly Line And Said Northerly Existing Right Of Way Line, A Distance Of 80.00 Feet To The Point Of Beginning.

Containing 1,434 Square Feet, More Or Less.

ALSO

Part "B"

Perpetual Easement

That Part Of:

A Parcel Of Land In Section 4, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Intersection Of The Centerline Of Survey Of State Road No 20 And The Centerline Of Survey Of State Road Number 26 (University Avenue), As Shown On Florida Department Of Transportation Right Of Way Map Financial Project Number 4307591, Section 26130; Thence North 89°00'48" East, Departing Said Centerline Of Survey Of State Road Number 20 And Along Said Centerline Of Survey Of State Road Number 26, A Distance Of 0.84 Feet; Thence South 01°13'54" East, Departing Said Centerline Of Survey, A Distance Of 68.47 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road Number 20 And The Westerly Line Of Block F Of Lakeway Grove, A Subdivision As Recorded In Plat Book "C", Page 14 Of The Public Records Of Alachua County, Florida, And The Point Of Beginning: Thence

Continue South 01°13′54" East, Departing Said Southerly Existing Right Of Way Line And Along Said Westerly Line, A Distance Of 134.05 Feet; Thence South 89°00′48" West, Departing Said Westerly Line, A Distance Of 12.00 Feet; Thence North 01°13′54" West, A Distance Of 116.50 Feet; Thence South 89°00′48" West, A Distance Of 26.68 Feet; Thence North 00°59′12" West, A Distance Of 19.17 Feet; Thence North 74°28′01" West, A Distance Of 43.24 Feet To A Point Lying On The Easterly Line Of Block 25 Of New Gainesville, A Subdivision As Recorded In Plat Book "A", Page 65 Of The Public Records Of Alachua County, Florida; Thence North 01°13′57" West, Along Said Easterly Line, A Distance Of 17.60 Feet To The Northeast Corner Of Said Block 25; Thence South 69°31′26" East, Departing Said Easterly Line, A Distance Of 86.11 Feet To The **Point Of Beginning**.

Containing 3,015 Square Feet, More Or Less.

ALSO Part "C"

Perpetual Easement

That Part Of:

A Parcel Of Land In Sections 3 And 4, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Intersection Of The Centerline Of Survey Of State Road No 20 And The Centerline Of Survey Of State Road Number 26 (University Avenue), As Shown On Florida Department Of Transportation Right Of Way Map Financial Project Number 4307591, Section 26130; Thence North 89°00'48" East, Departing Said Centerline Of Survey Of State Road Number 20 And Along Said Centerline Of Survey Of State Road Number 26, A Distance Of 371,21 Feet: Thence North 00°59'54" West, Departing Said Centerline Of Survey, A Distance Of 67.63 Feet To The Intersection Of The Northerly Existing Right Of Way Line Of Said State Road Number 26 And The Easterly Line Of Block C Of Lakeway Grove, A Subdivision As Recorded In Plat Book "C", Page 14 Of The Public Records Of Alachua County, Florida, And The Point Of Beginning; Thence Continue North 00°59'54" West, Departing Said Northerly Existing Right Of Way Line And Along Said Easterly Line, A Distance Of 102.70 Feet; Thence North 89°00'48" East, Departing Said Easterly Line, A Distance Of 12.00 Feet; Thence South 00°59'54" East, A Distance Of 70.06 Feet; Thence North 89°00'48" East, A Distance Of 33.78 Feet; Thence South 00°59'12" East, A Distance Of 30.63 Feet; Thence South 78°34'07" East, A Distance Of 35.50 Feet To A Point Lying On The Westerly Line Of Block D Of Said Lakeway Grove; Thence South 00°59'54" East, Along Said Westerly Line, A Distance Of 12.00 Feet To The Southwest Corner Of Said Block D; Thence North 78°37'23" West, Departing Said Westerly Line, A Distance Of 82.36 Feet To The Point Of Beginning.

Containing 2,981 Square Feet, More Or Less.

ALSO Part "D"

Perpetual Easement

That Part Of:

A Parcel Of Land In Sections 3 And 4, Township 10 South, Range 20 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Intersection Of The Centerline Of Survey Of State Road No 20 And The Centerline Of Survey Of State Road Number 26 (University Avenue), As Shown On Florida Department Of Transportation Right Of Way Map Financial Project Number 4307591, Section

26130; Thence North 89°00'48" East, Departing Said Centerline Of Survey Of State Road Number 20 And Along Said Centerline Of Survey Of State Road Number 26, A Distance Of 371.21 Feet; Thence South 01°02'30" East, Departing Said Centerline Of Survey, A Distance Of 43.21 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road Number 26 And The Easterly Line Of Block F Of Lakeway Grove, A Subdivision As Recorded In Plat Book "C", Page 14 Of The Public Records Of Alachua County, Florida, And The **Point Of Beginning**; Thence South 86°09'40" East, Departing Said Southerly Existing Right Of Way Line And Said Easterly Line, A Distance Of 80.67 Feet To The Northwest Corner Of Block E Of Said Lakeway Grove; Thence South 00°58'45" East, Along The Westerly Line Of Said Block E, A Distance Of 13.58 Feet; Thence South 89°00'48" West, Departing Said Westerly Line, A Distance Of 13.79 Feet; Thence South 00°59'12" East, A Distance Of 26.41 Feet; Thence South 89°00'48" West, A Distance Of 22.79 Feet; Thence North 00°59'12" West, A Distance Of 31.56 Feet; Thence North 82°58'14" West, A Distance Of 44.22 To A Point Lying On Said Easterly Line Of Block F; Thence North 01°02'30" West, Along Said Easterly Line, A Distance Of 9.05 Feet To The **Point Of Beginning**.

Containing 1,606 Square Feet, More Or Less.