

## RESOLUTION 24-

### A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, CONVEYING A PORTION OF COUNTY ROAD 337 AT THE INTERSECTION OF STATE ROAD 26 IN THE CITY OF NEWBERRY, AUTHORIZING THE EXECUTION OF DOCUMENTS TO EFFECTUATE THE CONVEYANCE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the State of Florida Department of Transportation (“FDOT”) proposes to construct one-way pairs to make State Road 26 run one-way east bound and to make NW 1<sup>st</sup> Avenue run one-way westbound in Alachua County, Florida (the “Project”); and

**WHEREAS**, in order to construct the project, FDOT requires that the County convey its interest in certain right-of-way, as described in **Exhibit “A”**, to FDOT (the “Property”); and

**WHEREAS**, FDOT has made application to the County requesting that the County execute and deliver to FDOT a County Deed in favor of FDOT over the Property, which comprises a portion of CR337 at its intersection with State Road 26; and

**WHEREAS**, a copy of FDOT’s application is attached hereto as **Exhibit B**; and

**WHEREAS**, the cost of all construction will be undertaken solely by FDOT in connection with the Project; and

**WHEREAS**, §125.38 Florida Statutes authorizes the County to convey its interests in real property to another governmental entity, such as FDOT, without competition or advertisement; and

**WHEREAS**, §335.0415(3), Florida Statutes, provides for the transfer of public roads between jurisdictions, including from a county to FDOT: and

**WHEREAS**, said application having been duly considered, the Board of County Commissions of Alachua County, Florida (“Board”) make the following findings: (i) the

property interest requested by FDOT are not needed for County purposes; (ii) FDOT is an agency of the state of Florida and is, therefore, qualified to request conveyances of County property pursuant to §125.38, Florida Statutes; and (iii) FDOT requires the property interest for a public purpose and such purpose is in the community interest and welfare; and

**WHEREAS**, pursuant to §125.38 and §335.0415(3), Florida Statutes, the County shall transfer ownership and maintenance responsibility for the Property to the FDOT; and

**WHEREAS**, upon said transfer of ownership to the FDOT, the Property will cease to be part of the County Road System and shall become part of the State Highway System as defined in §334.03(24), Florida Statutes; and

**WHEREAS**, the Board finds that it is the County's best interest to execute and deliver a county deed to the FDOT to transfer ownership and maintenance responsibilities of the Property to the FDOT.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA;**

1. The Board finds, determines, and declares that the recitals in the preamble are true and correct, and hereby incorporates them by reference.

2. The Board authorizes and directs the conveyance of the Property to FDOT by the County Deed attached hereto as **Exhibit C** to the FDOT, for the nominal sum of One Dollar (\$1.00).

2. The Board authorizes and directs the Chair to execute the County Deed, and any other documents approved by the County Attorney needed to complete this conveyance.

3. This resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** in regular session, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2024.

**BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA**

By: \_\_\_\_\_  
Mary C. Alford, Chair

**ATTEST:**

\_\_\_\_\_  
J. K. "Jess" Irby, Esq., Clerk

**APPROVED AS TO FORM**

\_\_\_\_\_  
Alachua County Attorney's Office

Exhibit A

Parcel Information Sheet  
NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A  
R/W Map Sheet No. 12, 13  
Tax Parcel No. N/A

Section No. 26070 State Road No. 26 Alachua County  
F.P. No. 2078502

Parcel No. 205 Fee Simple

A Part Of S.W. 266<sup>th</sup> Street, Also Known As County Road 337 (A 100 Foot Right Of Way, Formerly Known As State Road No. S-337 Per The Florida Department Of Transportation Right Of Way Transfer Map To Alachua County, Section 26640-2601, As Per Road Plat Book 1, Pages 162 Through 164 Of The Public Records Of Alachua County, Florida), Lying In The Southwest Quarter Of Section 4 And The Southeast Quarter Of Section 5, Township 10 South, Range 17 East, City Of Newberry, Alachua County, Florida, More Particularly Described As Follows:

**Commence** At The 4"x4" Concrete Monument Without Identification At The Northeast Corner Of Section 5, Township 10 South, Range 17 East, City Of Newberry, Alachua County, Florida; Thence South 01°11'21" East Along The East Line Of The Northeast Quarter Of Said Section 5, A Distance Of 2739.26 Feet To The East Quarter Corner Of Said Section 5; Thence South 00°58'38" East Along The East Line Of The Southeast Quarter Of Said Section 5, A Distance Of 182.02 Feet To The Baseline Of Survey Of State Road No. 26 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section 26070, F.P. No. 2078502); Thence North 88°20'15" West, A Distance Of 87.39 Feet; Thence South 01°39'45" West, Departing Said Baseline Of Survey, A Distance Of 60.00 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 26 And The Westerly Existing Right Of Way Line Of S.W. 266<sup>th</sup> Street, Also Known As County Road 337 (A 100 Foot Right Of Way, Formerly Known As State Road No. S-337 Per The Florida Department Of Transportation Right Of Way Transfer Map To Alachua County, Section 26640-2601, As Per Road Plat Book 1, Pages 162 Through 164 Of The Public Records Of Alachua County, Florida), And To The **Point Of Beginning**; Thence South 88°20'15" East, A Distance Of 200.18 Feet To The Easterly Existing Right Of Way Line Of Said S.W. 266<sup>th</sup> Street And A Curve To The Left, Having A Radius Of 50.00 Feet; Thence Along Said Easterly Existing Right Of Way Line And The Arc Of Said Curve, Through An Angle Of 92°27'37", An Arc Distance Of 80.69 Feet And A Chord Bearing And Distance Of South 45°25'57" West, 72.21 Feet; Thence South 00°47'52" East Along Said Easterly Existing Right Of Way Line, A Distance Of 281.60 Feet; Thence South 88°53'46" West, A Distance Of 100.00 Feet To Said Westerly Existing Right Of Way Line Of S.W. 266<sup>th</sup> Street; Thence North 00°47'52" West Along Said Westerly Existing Right Of Way Line, A Distance Of 290.73 Feet To A Curve To The Left, Having A Radius Of 50.00 Feet; Thence Along Said Westerly Existing Right Of Way Line And The Arc Of Said Curve, Through An Angle Of 87°32'23", An Arc Distance Of 76.39 Feet And A Chord Bearing And Distance Of North 44°34'03" West, 69.18 Feet To The **Point Of Beginning**.

Containing 0.797 Acres, More Or Less.

Parcel Description Verified By: Rhonda Roberson

Date: 07/18/2023



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.  
SECRETARY

September 20, 2023

Alachua County  
Attention: Patricia A. Green  
5620 NW 120<sup>th</sup> Lane  
Gainesville, Florida 32653

RE: Item/Segment Number: 2078502  
State Road Number: 26  
FAP Number: N/A  
County: Alachua  
Parcel Number: 205

Dear Ms. Green:

The Florida Department of Transportation is in the process of acquiring the right of way for the above referenced project in Newberry. The project is to construct one-way pairs with SR 26 Eastbound and NW 1<sup>st</sup> Avenue Westbound. The Department is seeking one (1) parcel in fee simple interest from Alachua County.

Attached are copies of the Right of Way Map, Parcel Information Sheet, and Conveyance Document to assist in the conveyance of the interest sought within the project limits.

If you should have any questions or need any further information, please feel free to contact me directly at 386-961-7410 or via email [Mindy.Fletcher@dot.state.fl.us](mailto:Mindy.Fletcher@dot.state.fl.us). I appreciate your assistance.

Sincerely,

*Mindy Fletcher*

---

Mindy Fletcher  
Right of Way Specialist  
Florida Department of Transportation  
1109 South Marion Avenue, MS 2020  
Lake City, FL 32025-5874  
Direct: (386) 961-7410  
[Mindy.Fletcher@dot.state.fl.us](mailto:Mindy.Fletcher@dot.state.fl.us)

**Exhibit C**

This instrument prepared by:  
Alachua County Public Works  
5620 NW 120 Lane  
Gainesville, FL 32653

**COUNTY DEED**

**THIS DEED**, made this \_\_\_\_ day of \_\_\_\_\_, 2024, by **ALACHUA COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida, by its Board of County Commissioners, whose address is 12 SE 1<sup>st</sup> Street, Gainesville, FL 32601, party of the first part, and **FLORIDA DEPARTMENT OF TRANSPORTATION** whose address is 1109 SOUTH MARION AVENUE , Lake City, Florida 32025-5874, party of the second part.

**WITNESSETH** that party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its heirs and assigns forever, the following described land lying and being in Alachua County, Florida, to wit:

A parcel of land being more particularly described in **ATTACHMENT “A”**, as attached hereto and by reference made a part hereof.

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair of said board, the day and year aforesaid.

**BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA**

(SEAL)

\_\_\_\_\_  
**Mary C. Alford, Chair  
Board of County Commissioners**

ATTEST:

\_\_\_\_\_  
J. K. “Jess” Irby, Esq.  
Clerk of Circuit Court

\_\_\_\_\_  
APPROVED AS TO FORM  
Alachua County Attorney’s Office

Exhibit A

Parcel Information Sheet  
NOT A DEED - INFORMATION PURPOSES ONLY

T. S. No. N/A  
R/W Map Sheet No. 12, 13  
Tax Parcel No. N/A

Section No. 26070 State Road No. 26 Alachua County  
F.P. No. 2078502

Parcel No. 205 Fee Simple

A Part Of S.W. 266<sup>th</sup> Street, Also Known As County Road 337 (A 100 Foot Right Of Way, Formerly Known As State Road No. S-337 Per The Florida Department Of Transportation Right Of Way Transfer Map To Alachua County, Section 26640-2601, As Per Road Plat Book 1, Pages 162 Through 164 Of The Public Records Of Alachua County, Florida), Lying In The Southwest Quarter Of Section 4 And The Southeast Quarter Of Section 5, Township 10 South, Range 17 East, City Of Newberry, Alachua County, Florida, More Particularly Described As Follows:

**Commence** At The 4"x4" Concrete Monument Without Identification At The Northeast Corner Of Section 5, Township 10 South, Range 17 East, City Of Newberry, Alachua County, Florida; Thence South 01°11'21" East Along The East Line Of The Northeast Quarter Of Said Section 5, A Distance Of 2739.26 Feet To The East Quarter Corner Of Said Section 5; Thence South 00°58'38" East Along The East Line Of The Southeast Quarter Of Said Section 5, A Distance Of 182.02 Feet To The Baseline Of Survey Of State Road No. 26 (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section 26070, F.P. No. 2078502); Thence North 88°20'15" West, A Distance Of 87.39 Feet; Thence South 01°39'45" West, Departing Said Baseline Of Survey, A Distance Of 60.00 Feet To The Intersection Of The Southerly Existing Right Of Way Line Of Said State Road No. 26 And The Westerly Existing Right Of Way Line Of S.W. 266<sup>th</sup> Street, Also Known As County Road 337 (A 100 Foot Right Of Way, Formerly Known As State Road No. S-337 Per The Florida Department Of Transportation Right Of Way Transfer Map To Alachua County, Section 26640-2601, As Per Road Plat Book 1, Pages 162 Through 164 Of The Public Records Of Alachua County, Florida), And To The **Point Of Beginning**; Thence South 88°20'15" East, A Distance Of 200.18 Feet To The Easterly Existing Right Of Way Line Of Said S.W. 266<sup>th</sup> Street And A Curve To The Left, Having A Radius Of 50.00 Feet; Thence Along Said Easterly Existing Right Of Way Line And The Arc Of Said Curve, Through An Angle Of 92°27'37", An Arc Distance Of 80.69 Feet And A Chord Bearing And Distance Of South 45°25'57" West, 72.21 Feet; Thence South 00°47'52" East Along Said Easterly Existing Right Of Way Line, A Distance Of 281.60 Feet; Thence South 88°53'46" West, A Distance Of 100.00 Feet To Said Westerly Existing Right Of Way Line Of S.W. 266<sup>th</sup> Street; Thence North 00°47'52" West Along Said Westerly Existing Right Of Way Line, A Distance Of 290.73 Feet To A Curve To The Left, Having A Radius Of 50.00 Feet; Thence Along Said Westerly Existing Right Of Way Line And The Arc Of Said Curve, Through An Angle Of 87°32'23", An Arc Distance Of 76.39 Feet And A Chord Bearing And Distance Of North 44°34'03" West, 69.18 Feet To The **Point Of Beginning**.

Containing 0.797 Acres, More Or Less.

Parcel Description Verified By: Rhonda Roberson

Date: 07/18/2023