

## RESOLUTION 24-

### A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, GRANTING A UTILITY EASEMENT OVER A PORTION OF TAX PARCEL NUMBER 07878-030-008 ALACHUA COUNTY, FLORIDA ; AUTHORIZING THE EXECUTION OF DOCUMENTS TO EFFECTUATE THE CONVEYANCE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Gainesville, d/b/a Gainesville Regional Utilities, a Florida municipal corporation (“GRU”), provides utility services to Tax Parcel Number 07878-030-008 owned by Alachua County, Florida pursuant to a blanket utility easement recorded in O.R. Book 2304, Page 971 of the Public Records of Alachua County, Florida (the “Existing Easement”); and

**WHEREAS**, the Existing Easement provides in part that “Grantor may then grant to the Grantee an easement as to such descriptions for public utilities in lieu of the blanket easement described herein.”; and

**WHEREAS**, County staff has determined that it is in the County’s best interest to grant GRU a replacement utility easement, in substantially the form attached hereto as **Exhibit “A”** (the “Replacement Easement”), in lieu of the blanket Existing Easement and in exchange for obtaining a release of the Existing Easement; and

**WHEREAS**, the Board finds that it is in the best interest of the County to convey the Replacement Easement.

### 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 Replacement Easement attached hereto as **Exhibit “A”**, for the nominal sum of One Dollar (\$1.00).
3. The Board authorizes and directs the Chair to execute the Replacement Easement and any other documents approved by the County Attorney needed to complete this conveyance.
4. 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: \_\_\_\_\_  
Charles Chestnut, IV, Chair

**ATTEST:**

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

**APPROVED AS TO FORM**

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

This Instrument Prepared By:  
Cyndi Boyce, Land Rights Coordinator  
Real Estate Division  
Gainesville Regional Utilities  
P.O. Box 147117, Sta. E3E  
Gainesville, FL 32614-7117

Tax Parcel No. 07878-030-008  
Section 18, Township 9 South, Range 20 East

GRU File No. U-E-93-24  
Page 1 of 9

**EASEMENT**

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by ALACHUA COUNTY, a political subdivision of the State of Florida, whose post office address is P.O. Box 1188, Gainesville, Florida 32602, GRANTOR, and CITY OF GAINESVILLE, Florida, d/b/a Gainesville Regional Utilities (GRU), a municipal corporation, whose post office address is P.O. Box 147117, Sta. E3E, Gainesville, Florida, 32614-7117, GRANTEE,

**WITNESSETH:**

That the said GRANTOR, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to it in hand paid by GRANTEE, receipt of which is hereby acknowledged, has given and granted, and by these presents does give and grant unto the GRANTEE, its successors and assigns, a perpetual easement for the purpose of constructing, operating and maintaining public utility facilities and related appurtenances over, under, upon and through the following described property in Alachua County, Florida, to wit:

As described in Exhibit "A-C" Attached Hereto and Made a Part Hereof.

The rights herein granted to GRANTEE by GRANTOR specifically include: (a) the right for GRANTEE to patrol, inspect, install, alter, improve, repair, rebuild, relocate, and remove said facilities; (b) the right for GRANTEE to upgrade the quantity and type of distribution facilities; (c) the right for GRANTEE to clear the Easement Area of trees, limbs, undergrowth and other physical objects which, in the opinion of GRANTEE, endanger or interfere with the safe and efficient installation, operation or maintenance of said facilities; (d) the right for GRANTEE to trim or remove any timber upon land of GRANTOR adjacent to but outside the Easement Area which, in the opinion of GRANTEE, endangers or interferes with the safe and efficient installation, operation or maintenance of said facilities; (e) the reasonable right for GRANTEE to enter upon lands of the GRANTOR adjacent to said Easement Area for the purpose of exercising the rights herein granted; and (f) all other rights and privileges reasonably necessary or convenient for GRANTEE's safe and efficient installation, operation and maintenance of said facilities and for the enjoyment and use of said easement for the purposes described above.

GRANTOR hereby covenants and agrees that no buildings, structures or obstacles (except fences) shall be located, constructed, excavated or created within the Easement Area. If fences are installed, they shall be placed so as to allow ready access to GRANTEE's facilities and provide a working space of not less than six feet (6') from manhole centers or the opening side of any pad mounted transformer and one foot (1') on the other three sides of any pad mounted transformer. If GRANTOR's future orderly

development of the premises is in physical conflict with GRANTEE's facilities, GRANTEE shall, after receipt of written request from GRANTOR, relocate said facilities to another mutually agreed upon Easement Area in GRANTOR's premises. Said relocation shall occur within a time period as determined by the project construction schedule, provided that prior to the relocation of said facilities GRANTOR shall execute and deliver to GRANTEE, at no cost, an acceptable and recordable easement to cover the relocated facilities. The cost of such relocation will be borne solely by GRANTOR, unless otherwise agreed in writing by GRANTEE. Upon the completion of the relocation, the easement herein shall be considered cancelled as to the portion vacated by such relocation.

Each party fully retains all sovereign immunity protections afforded to it as a municipal corporation of the State of Florida, and as a charter county and a political subdivision of the State of Florida, respectively. Without in any way waiving, limiting or restricting any defenses of sovereign immunity, each party shall be solely responsible for its own negligent acts or omissions, as well as those of its own employees. This Easement is not intended, and shall not be interpreted to constitute, a waiver of sovereign immunity, an authorization of claims by third parties, a waiver the limits of liability as established by §768.28, Florida Statutes, or to waive any other provision of §768.28, Florida Statutes.

TO HAVE AND TO HOLD the same unto the 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 Board of County Commissioners action by the Chairman of said Board, on the day and year first above-written.

THE GRANTEE HEREBY ACCEPTS THE TERMS AND CONDITIONS SET FORTH AND CONTAINED HEREIN AND HAS CAUSED THESE PRESENTS TO BE EXECUTED IN ITS NAME BY ITS BOARD OF COUNTY COMMISSIONERS ACTION BY THE CHAIRMAN OF SAID BOARD.

ALACHUA COUNTY, FLORIDA

(SEAL)

By: \_\_\_\_\_  
Charles Chestnut, IV, Chair  
Board of County Commissioners

ATTEST:

APPROVED AS TO FORM:

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

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

Approved as to Form and Legality on behalf of Grantee:

By: \_\_\_\_\_  
\_\_\_\_\_  
Senior Assistant City Attorney  
City of Gainesville, Florida

Legal Description

For: Gainesville Regional Utilities  
Public Utility Easement  
(Covering Electric Line)

A portion of Lots 10 and 11 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", page 31 of the Public Records of Alachua County, Florida; being more particularly described as follows:

Commence at the northwest corner of Lot 8 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", page 31 of the Public Records of Alachua County, Florida and run thence South 00° 59' 20" East, along the East Right of Way line of N.W. 18th Drive (80' Right of Way) and along the West line of said Lot 8 and the West lines of Lots 9, 10 and 11 of said 'Northwest Industrial Park Unit No. 3', a distance of 740.00 feet to a point lying 20.00 feet North of the South line of said Lot 11 (measured perpendicular); thence North 89° 00' 46" East, parallel with and 20.00 feet North of said South line (measured perpendicular), 73.38 feet to the Point of Beginning; thence continue North 89° 00' 46" East, parallel with said South line of Lot 11, a distance of 18.47 feet; thence North 34° 43' 15" East, 45.56 feet; thence North 43° 05' 55" East, 64.11 feet; thence North 50° 28' 26" East, 159.41 feet; thence North 89° 25' 58" East, 6.46 feet; thence North 00° 34' 02" West, 16.00 feet; thence South 89° 25' 58" West, 21.00 feet; thence South 00° 34' 02" East, 8.47 feet; thence South 50° 28' 26" West, 153.81 feet; thence South 43° 05' 55" West, 66.17 feet; thence South 34° 43' 15" West, 57.44 feet to the Point of Beginning.

Containing 0.10 Acres (4,379 Square Feet), more or less.

**THIS IS NOT A BOUNDARY SURVEY**

DRN.	CHKD.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
B.G.	B.G.	9/05/2024	2024-051			

**LEGAL DESCRIPTION AND SKETCH OF**

A PORTION OF LOTS 10 & 11 OF 'NORTHWEST INDUSTRIAL PARK UNIT NO. 3', AS PER PLAT THEREOF, RECORDED IN PLAT BOOK "L", PAGE 31 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA

**FOR:** GAINESVILLE REGIONAL UTILITIES

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2024), FLORIDA STATUTES.

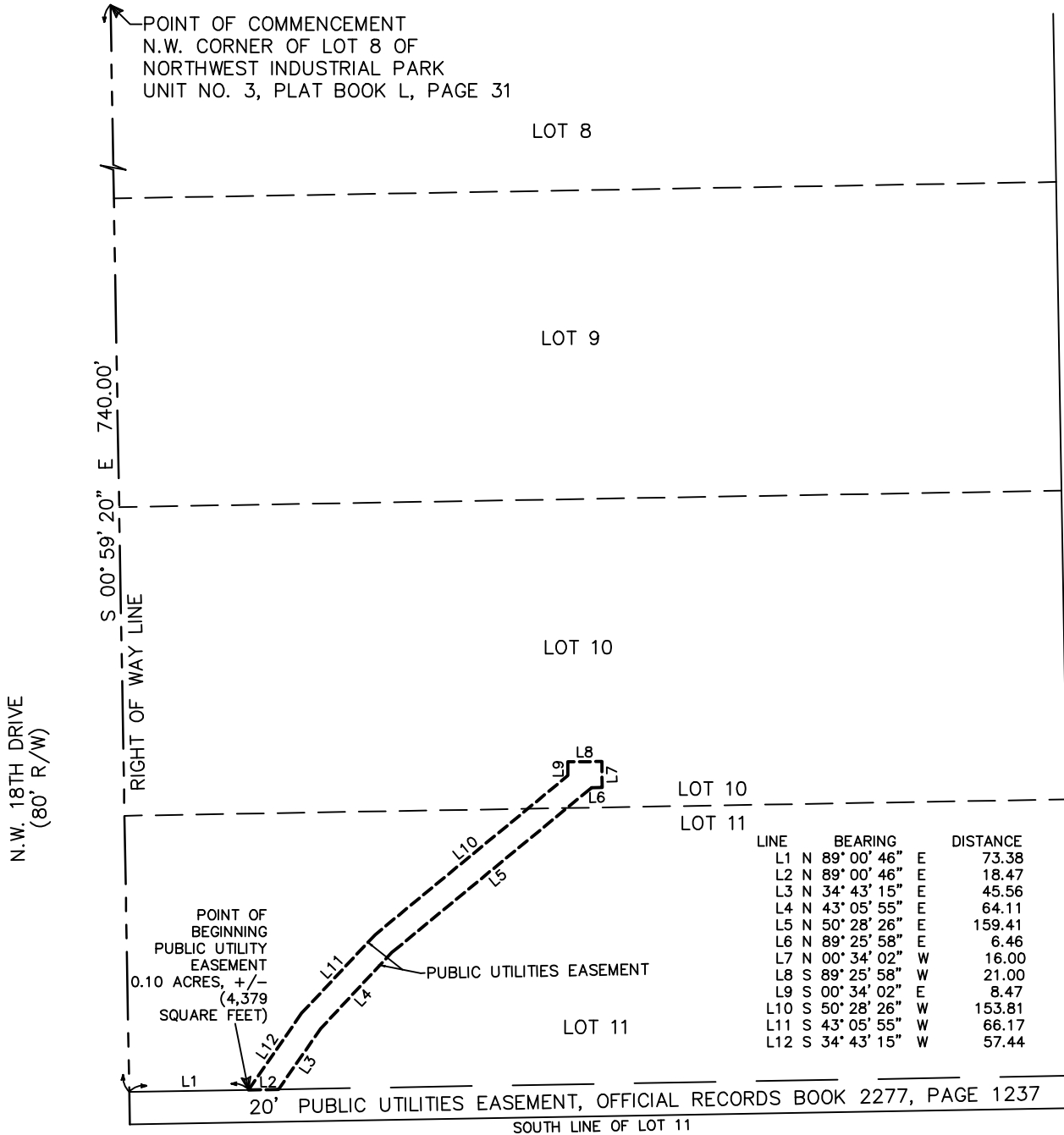
BY: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization  
No. LB 2389



eda consultants inc.

LB 2389  
720 S.W. 2nd Ave, South Tower, Suite 300  
GAINESVILLE, FLORIDA 32601  
TEL. (352) 373-3541  
www.edafl.com mail@edafl.com



LINE	BEARING	DISTANCE
L1	N 89° 00' 46" E	73.38
L2	N 89° 00' 46" E	18.47
L3	N 34° 43' 15" E	45.56
L4	N 43° 05' 55" E	64.11
L5	N 50° 28' 26" E	159.41
L6	N 89° 25' 58" E	6.46
L7	N 00° 34' 02" W	16.00
L8	S 89° 25' 58" W	21.00
L9	S 00° 34' 02" E	8.47
L10	S 50° 28' 26" W	153.81
L11	S 43° 05' 55" W	66.17
L12	S 34° 43' 15" W	57.44

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B.G.	B.G.		9/5/2024	2024-051		

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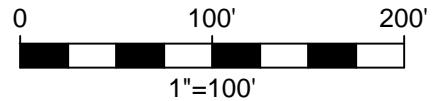
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Legal Description

For: Gainesville Regional Utilities  
Public Utility Easement  
(Covering Gas Line)

A portion of Lot 8 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", Page 31 of the Public Records of Alachua County, Florida; being more particularly described as follows:

Begin at the Northwest corner of Lot 8 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", Page 31 of the Public Records of Alachua County, Florida and run thence South 00° 59' 20" East, along the East Right of Way line of N.W. 18th Drive (80' Right of Way) and along the West line of said Lot 8, a distance of 25.00 feet; thence North 89° 00' 12" East, along a line parallel with and 25 feet South of the North line of said Lot 8, a distance of 580.01 feet to a point on the East line of said Lot 8; thence North 00° 59' 15" West, along said East line of Lot 8, a distance of 25.00 feet to the Northeast corner of said Lot 8; thence South 89° 00' 12" West, along the North line of said Lot 8, a distance of 580.01 feet to the Point of Beginning.

Containing 0.33 Acres (14,500 Square Feet), more or less.

**THIS IS NOT A BOUNDARY SURVEY**

DRN.	CHKD.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
B.G./J.R.	B.G./J.R.		10/3/2024	2024-051		

**LEGAL DESCRIPTION AND SKETCH OF**

A PORTION OF LOT 8 OF 'NORTHWEST INDUSTRIAL  
PARK UNIT NO. 3', AS PER PLAT THEREOF, RECORDED IN  
PLAT BOOK "L", PAGE 31 OF THE PUBLIC RECORDS OF  
ALACHUA COUNTY, FLORIDA

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BY: JARED ROGERS P.S.M. 6687

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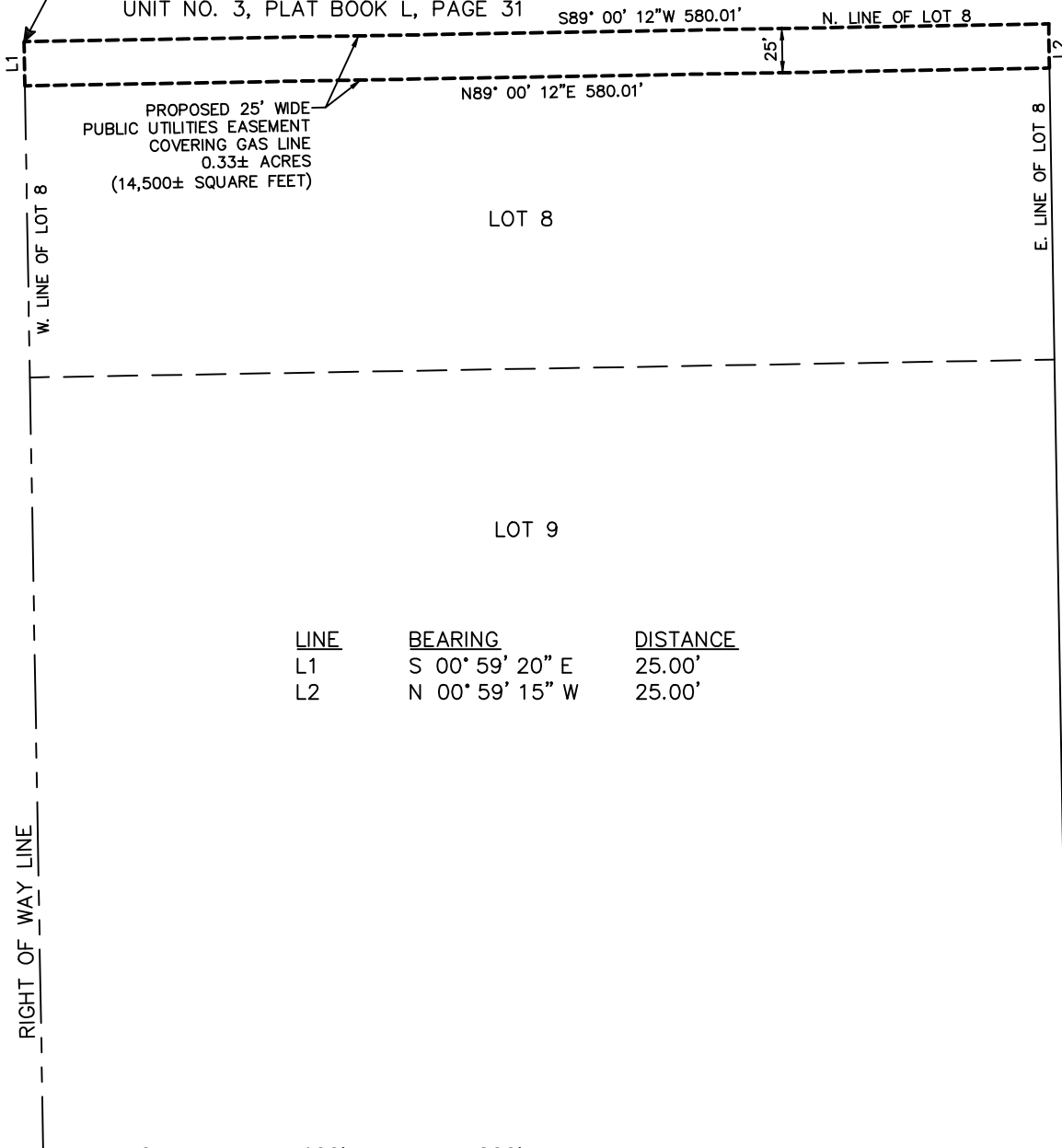
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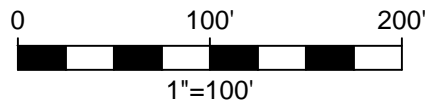
POINT OF BEGINNING  
N.W. CORNER OF LOT 8 OF  
NORTHWEST INDUSTRIAL PARK  
UNIT NO. 3, PLAT BOOK L, PAGE 31



N.W. 18TH DRIVE  
(80' R/W)

RIGHT OF WAY LINE

LINE	BEARING	DISTANCE
L1	S 00° 59' 20" E	25.00'
L2	N 00° 59' 15" W	25.00'



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SEE SHEET 1 FOR SIGNATURE & SEAL



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Legal Description

For: Gainesville Regional Utilities  
Public Utility Easement  
(Covering Water Line)

A portion of Lots 8, 9 and 10 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", page 31 of the Public Records of Alachua County, Florida; being more particularly described as follows:

Commence at the northwest corner of Lot 8 of 'Northwest Industrial Park Unit No. 3', as per plat thereof, recorded in Plat Book "L", page 31 of the Public Records of Alachua County, Florida and run thence South 00° 59' 20" East, along the East Right of Way line of N.W. 18th Drive (80' Right of Way) and along the West line of said Lot 8, a distance of 170.25 feet to the Point of Beginning; thence continue South 00° 59' 20" East, along said Right of Way line and along the West line of Lots 8, 9 and 10 of said 'Northwest Industrial Park Unit No. 3', a distance of 218.80 feet; thence North 89° 00' 40" East, 16.99 feet; thence North 00° 59' 20" West, 207.84 feet; thence North 40° 07' 55" East, 16.09 feet; thence North 88° 47' 35" East, 90.22 feet; thence South 01° 12' 25" East, 3.50 feet; thence North 88° 47' 35" East, 20.00 feet; thence North 01° 12' 25" West, 3.50 feet; thence North 88° 47' 35" East, 49.05 feet; thence South 00° 44' 40" East, 189.75 feet; thence North 89° 15' 20" East, 20.00 feet; thence North 00° 44' 40" West, 45.29 feet; thence North 89° 15' 20" East, 13.50 feet; thence North 00° 44' 40" West, 35.03 feet; thence South 89° 15' 20" West, 13.50 feet; thence North 00° 44' 40" West, 109.59 feet; thence North 88° 47' 35" East, 102.23 feet; thence North 41° 50' 07" East, 35.70 feet; thence North 88° 53' 01" East, 135.74 feet; thence South 46° 34' 58" East, 20.22 feet; thence South 00° 58' 38" East, 115.01 feet; thence South 89° 01' 22" West, 3.50 feet; thence South 00° 58' 38" East, 20.00 feet; thence North 89° 01' 22" East, 3.50 feet; thence South 00° 58' 38" East, 12.63 feet; thence North 89° 01' 22" East, 20.00 feet; thence North 00° 58' 38" West, 156.05 feet; thence North 46° 34' 58" West, 17.14 feet; thence North 41° 22' 02" East, 41.91 feet; thence South 89° 16' 13" East, 60.53 feet to a point on the East line of said Lot 8; thence North 00° 59' 15" West, along said East line of Lot 8, a distance of 20.01 feet; thence North 89° 16' 13" West, 69.12 feet; thence South 41° 22' 02" West, 50.70 feet; thence South 88° 53' 01" West, 152.18 feet; thence South 41° 50' 07" West, 35.71 feet; thence South 88° 47' 35" West, 281.86 feet; thence South 40° 07' 55" West, 28.05 feet to the Point of Beginning.

Containing 0.54 Acres (23,532 Square Feet), more or less.

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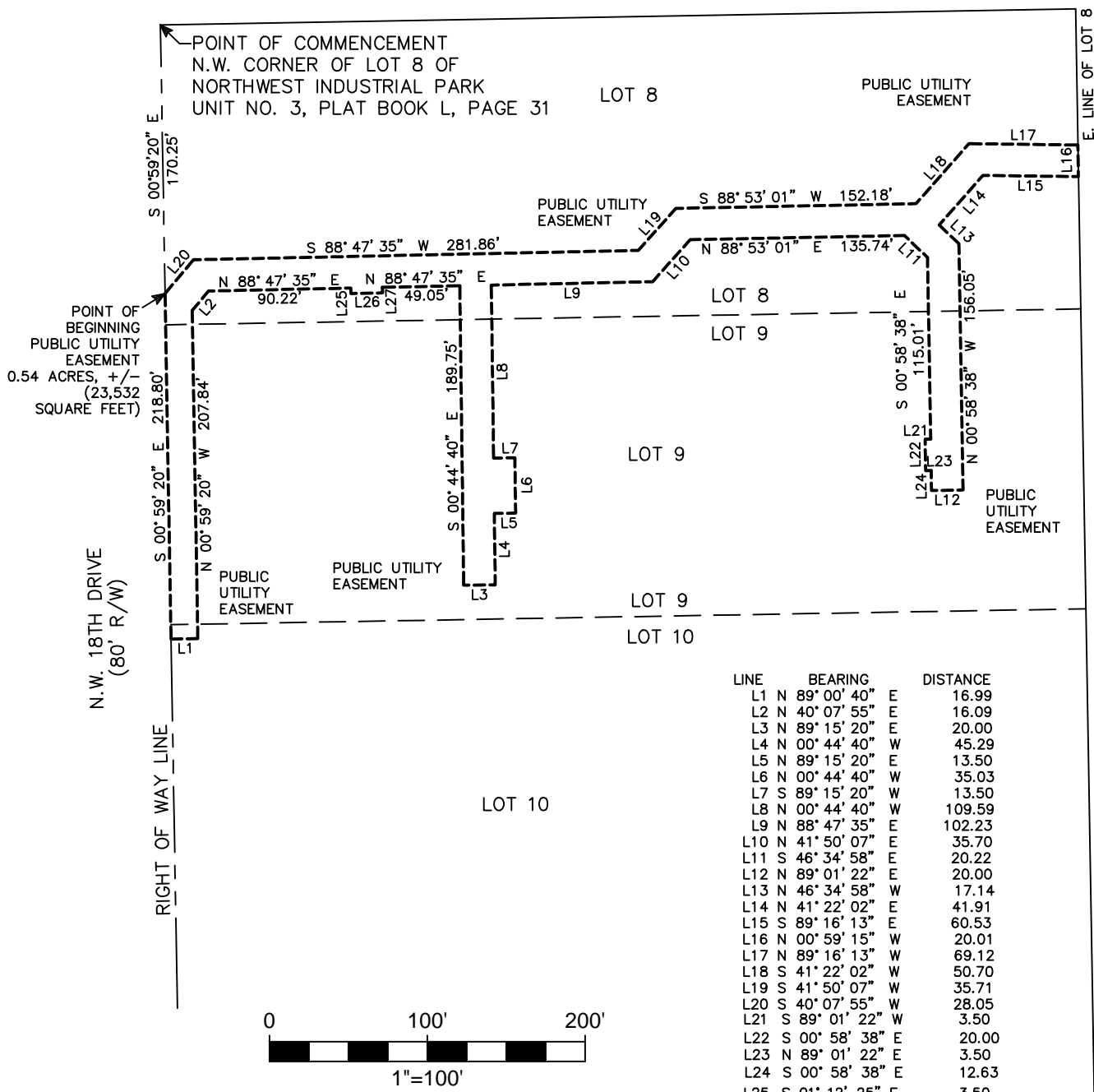
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LINE	BEARING	DISTANCE
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L3	N 89° 15' 20" E	20.00
L4	N 00° 44' 40" W	45.29
L5	N 89° 15' 20" E	13.50
L6	N 00° 44' 40" W	35.03
L7	S 89° 15' 20" W	13.50
L8	N 00° 44' 40" W	109.59
L9	N 88° 47' 35" E	102.23
L10	N 41° 50' 07" E	35.70
L11	S 46° 34' 58" E	20.22
L12	N 89° 01' 22" E	20.00
L13	N 46° 34' 58" W	17.14
L14	N 41° 22' 02" E	41.91
L15	S 89° 16' 13" E	60.53
L16	N 00° 59' 15" W	20.01
L17	N 89° 16' 13" W	69.12
L18	S 41° 22' 02" W	50.70
L19	S 41° 50' 07" W	35.71
L20	S 40° 07' 55" W	28.05
L21	S 89° 01' 22" W	3.50
L22	S 00° 58' 38" E	20.00
L23	N 89° 01' 22" E	3.50
L24	S 00° 58' 38" E	12.63
L25	S 01° 12' 25" E	3.50
L26	N 88° 47' 35" E	20.00
L27	N 01° 12' 25" W	3.50

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