

RESOLUTION 25-

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AUTHORIZING THE SUBORDINATION OF THE COUNTY'S INTERESTS IN A UTILITY EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; APPROVING THE SUBORDINATION AGREEMENT BETWEEN THE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE EXECUTION OF THE SUBORDINATION AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE SUBORDINATION; PROVIDING FOR CONFLICTS, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alachua County ("County") is in possession of a utility easement located in Section 14, Township 10 South, Range 19 East, in the SW corner of the intersection of SR 121/SW 34th Street and SR 24/SW Archer Road ("Property" or "lands"); and

WHEREAS, the utility easement was recorded in Alachua County Official Records Book 281, Page 53 attached hereto as Exhibit "1" and incorporated herein; and

WHEREAS, The Florida Department of Transportation ("FDOT") has requested that Alachua County ("County") subordinate its interest in the utility easement to allow FDOT to complete its traffic signal reconstruction project (449844-1) at the intersection where the Property is located; and

WHEREAS, the proposed use of the Property for this purpose will require subordination of the interest claimed in such lands by the County to the Florida Department of Transportation; and

WHEREAS, the County is willing to subordinate its interest in the utility easement to the FDOT in accordance with the terms and conditions set forth in the Subordination Agreement attached hereto as Exhibit "2" and incorporated herein; and

WHEREAS, the County does not have any utilities located on this Property; and

WHEREAS, the Board finds that the requested subordination is in the public interest.

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

1. The foregoing “Whereas” clauses are true and correct and are hereby incorporated in this Resolution.

2. The County hereby subordinates its interests in the utility easement recorded in Alachua County Official Records Book 281, Page 53 attached hereto as Exhibit 1, to the Florida Department of Transportation its successors and assigns.

3. The County hereby approves the Subordination Agreement and authorizes the Chairman to execute the Subordination Agreement and any other documents necessary to complete the subordination, subject to the review and approval “as to form” of the County Attorney or the County Attorney’s designee.

4. If any clause, section or other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or application of this Resolution.

5. That all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

DULY ADOPTED in regular session, this _____ day of _____, 2025.

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

By: _____
Ken Cornell, Chair
Board of County Commissioners

ATTEST:

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

APPROVED AS TO FORM

Alachua County Attorney

6/2/64

84406

OFFICIAL RECORDS
BOOK 281 PAGE 53

QUIT-CLAIM DEED

THIS DEED, made this 9th day of June, A. D. 1964,
by ALACHUA COUNTY, FLORIDA, party of the first part, and J. P. AHRANO and wife,
JEWELL AHRANO, parties of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the
sum of One Dollar and other good and valuable considerations to it in hand paid
by the parties of the second part, receipt whereof is hereby acknowledged, has
granted bargained and sold to the parties of the second part, their heirs and
assigns forever, the following described land lying and being in Alachua County,
Florida, to-wit:

That part of the Old Archer Road that lies North of the S.A.L.
Railroad right of way and west of State Road 8-23 (S. W. 34 St.)
and East and South of State Road 24 (Archer Road) that abuts the
following described property:

P.O.B. is the NE corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 14, T10S, R19E,
thence run S 46° 50' West 653.3 ft.; thence run S 41° 30' West
606.4 ft.; thence run S 48° 45' East 122.4 ft.; thence run S 41°
West 84 ft.; thence run South 48° 45' East 121.4 ft.; thence run
N 45° 15' East 680.4 ft.; thence run N 35° East 471.4 ft.; to
East line Section 14, T10S, R19E, thence run North 246.5 ft.
along East line of said section to P.O.B.

RESERVING TO GRANTOR AND ITS ASSIGNS AN EASEMENT OVER SAID
PROPERTY FOR UTILITY PURPOSES.

Subject to any unpaid taxes covering said property.

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 Chairman of said Board, the day and year aforesaid.

ALACHUA COUNTY, FLORIDA
By its Board of County Commissioners

(OFFICIAL SEAL)

BY: J. M. Davis
Its Chairman

Attest:

J. Blomichou
Clerk of the Circuit Court.



B281
P53

Exhibit 2

23-UTL.08-Date: February 26, 2024

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.	100.6
SECTION NO.	26090
F.P. NO.	4498441
STATE ROAD NO.	24 @ SR 121
COUNTY OF	ALACHUA

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT, entered into this _____ day of _____, 20_____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida 32025-5874, hereinafter called the FLORIDA DEPARTMENT OF TRANSPORTATION, and ALACHUA COUNTY, FLORIDA, a political subdivision of the State of Florida, 12 SE 1st Street, 2nd Floor, Gainesville, Florida 32601, hereinafter called County.

WITNESSETH:

WHEREAS, the County presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to the Florida Department of Transportation; and

WHEREAS, the Florida Department of Transportation is willing to pay to have the County's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, County and Florida Department of Transportation agree as follows:

County hereby subordinates to the interest of Florida Department of Transportation its successors and assigns, any and all of its interest in the lands as follows, viz:

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

RECORDED:

INSTRUMENT	DATE ORB/PAGE	FROM	TO	AS TO PARCEL NO.
Utility Easement as reserved in Quit-Claim Deed	06/09/1964 281/53	J.P. Ahrano and wife, Jewell Ahrano	Alachua County, Florida	100

PROVIDED that the County has the following rights:

1. The County shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the Florida Department of Transportation's current minimum standards for such facilities as required by the Florida Department of Transportation, Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the Florida Department of Transportation. Should the Florida Department of Transportation fail to approve any new construction or relocation of facilities by the County or require the County to alter, adjust, or relocate its facilities located within said lands, the Florida Department of Transportation hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The County shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the Florida Department of Transportation's facilities.
4. The County agrees to repair any damage to Florida Department of Transportation facilities and to indemnify the Florida Department of Transportation against any loss or damage resulting from the County exercising its rights outlined in Paragraphs 1 and 3 above.

IN WITNESS WHEREOF, the Florida Department of Transportation hereto has executed this agreement on the day and year first above written.

Signed, sealed and delivered
in the presence of witnesses:

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

Witness:
Print Name _____
Address: _____

By: _____
Robert L. Parks
District Director for Transportation
Development District Two

Witness:
Print Name: _____
Address: _____

Legal Review
By: _____
Print Name: _____
District Counsel
Date: _____

STATE OF FLORIDA

COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____, 20_____, by Robert L. Parks, District Director for Transportation Development, District Two, who is personally known to me and who did not take an oath.

(Notary Seal)

Print Name: _____
Notary Public
My Commission Expires: _____

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

ATTEST: _____

Alachua County, Florida,
By Its Board of County Commissioners

Print Name: _____
Clerk (or Deputy Clerk)

By: _____

Print Name: _____
Its Chairperson (or Vice-Chairperson)

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____, 20____, by _____, _____, who is personally known to me or who has produced _____ as identification.

Print Name: _____
Notary Public
My Commission Expires: _____

(Notary Seal)

Exhibit "A"

Section No. 26090
F.P. No. 4498441

SR 24 at SR 121

Alachua County

Parcel No. 100

Fee Simple

A Part Of Section 14, Township 10 South, Range 19 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At a Nail and Disk Stamped FDOT LB3731 At The Northeast Corner Of Section 14, Township 10 South, Range 19 East, Alachua County, Florida, Also Being On The Baseline Of Survey Of State Road No.121 (S.W. 34th Street, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26090, F.P. No. 4498441, Having A Variable Width Right Of Way); Thence Along Said Baseline Of Survey Of State Road No. 121 (S.W. 34th Street), The Following 3 Courses: (1) South 00°42'16" East, 555.74 Feet To The Point Of Curvature Of A Curve To The Left, Having A Radius Of 11,459.16 Feet; (2) Along The Arc Of Said Curve, Through An Angle Of 03°00'00", An Arc Distance Of 600.00 Feet And A Chord Bearing And Distance Of South 02°12'16" East, 599.93 Feet; (3) South 03°56'29" East, 86.40 Feet To The Baseline Of Survey Of State Road No. 24 (Archer Road, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26090, F.P. No. 4498441, Having A Variable Width Right Of Way), And A Curve To The Left, Having A Radius Of 5,727.04 Feet; Thence Along Said Baseline Of Survey Of State Road No. 24 (Archer Road), And Along The Arc Of Said Curve, Through An Angle Of 01°58'45", An Arc Distance Of 197.84 Feet And A Chord Bearing And Distance Of South 48°23'01" West, 197.83 Feet; Thence South 42°36'21" East, A Distance Of 53.03 Feet To The Southeasterly Existing Right Of Way Line Of Said State Road No. 24 (Archer Road), And A Curve To The Right, Having A Radius Of 41.25 Feet And To The **Point Of Beginning**; Thence Along Said Southeasterly Existing Right Of Way Line And Curve, Through An Angle Of 76°21'58", An Arc Distance Of 54.98 Feet And A Chord Bearing And Distance Of South 68°59'49" East, 51.00 Feet; Thence North 68°59'49" West, A Distance Of 51.00 Feet To The **Point Of Beginning**.

Containing: 307 Square Feet, More Or Less.