

R-2850
LW



DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY

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FILE NUM 2003060133 OR BK/PG 03415/1778

RECORDING FEES 28.50

This instrument prepared by,
or under the direction of,
PAT VOLZ
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

COUNTY MARION
SECTION 36210-2405
F.P. No. 242362 1
PARCEL NO. 165-PART & 167-PART.R
(CITY PARCELS A, B, C, & E)

QUITCLAIM DEED
Public Purpose

THIS INDENTURE, Made this May 7, 2003 by and
between the STATE OF FLORIDA by and through the STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION, Party of the First Part, whose
address is 719 South Woodland Blvd., DeLand, FL 32720, to THE CITY
OF OCALA, Party of the Second Part, P.O. Box 1270, Ocala, FL
34478-1270.

WITNESSETH

WHEREAS, said land hereinafter described was heretofore
acquired for state highway purposes; and

WHEREAS, said land is no longer required for such purposes,
and the Party of the First Part, by action of the District
Secretary, District Five, Florida Department of Transportation on
5/7/03, pursuant to the provisions of Section 337.25
Florida Statutes, has agreed to quitclaim the land hereinafter
described to the Party of the Second Part without consideration, to
be used solely for public purposes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of
the First Part does hereby remise, release and quitclaim unto the
Party of the Second Part, and assigns, forever, all the right,
title and interest of the State of Florida Department of
Transportation to the property herein described to be used solely
for public purposes, pursuant to the provisions of Section 337.25,
Florida Statutes, all that certain land situate in Marion County,
Florida, viz:

(SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF)

SUBJECT to all Utilities in place and in use to the
maintenance thereof.

Bern



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TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the Party of the Second Part.

REVERTER - The property herein described is to be used for proposed N.W. 37th Avenue, by the Party of the Second Part. If the property ceases to be used for the above described purpose all property rights shall revert back to the said Party of the First Part.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida Department of Transportation by its District Secretary, District Five and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

ATTEST: *Linda S. Underhill*
Linda S. Underhill
(Type/print name)
Executive Secretary

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: *Michael Snyder*
Michael Snyder
(Type/print name)
District Five Secretary

(Affix Department Seal)

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 5/7/03, by Michael Snyder, P.E., District Secretary for District Five, who (is personally known to me,) or who has produced _____ as identification.



(Affix Notary Seal)

Nancy J. Landry
(Type/print name)
Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____

EXHIBIT "A"

PARCEL NO. 165-PART AND 167-PART

SECTION 36210-2405
F.P. NO. 242362 1

PORTIONS OF BORROW PIT NO. 1
AND HAUL ROUTE

RT. STATION 2337+01.09

DESCRIBED AS FOLLOWS:

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OR BOOK/PAGE 03415/1780

CITY PARCEL A

COMMENCE at the west quarter corner of Section 11, Township 15 South, Range 21 East, Marion County, Florida; thence run South 89°17'42" East, along the north boundary of the southwest quarter of said section (based on occupation) for a distance of 642.23 feet to a point on the west boundary of the Florida Department of Transportation Borrow Pit No. 1, said point also being the POINT OF BEGINNING; thence run North 00°31'25" East along said west boundary, for a distance of 172.09 feet to the point of curvature of a tangent curve, concave to the southeast and having for its elements: a radius of 640.00 feet, a central angle of 56°48'18" a chord distance of 608.85 feet and a chord bearing of North 28°55'34" East; thence run northeasterly along said curve for a distance of 634.52 feet; thence run North 57°19'43" East for a distance of 263.21 feet to a point on the north boundary of said Borrow Pit No. 1; thence run South 89°28'35" East along said north boundary for a distance of 129.51 feet to the point of curvature of a non-tangent curve concave to the northwest and having for its elements: a radius of 640.00 feet, a central angle of 09°40'15" and a chord of 107.90 feet bearing South 52°29'35" West; thence run southwesterly along said curve for a distance of 108.02 feet; thence run South 57°19'43" West for a distance of 264.07 feet to the point of curvature of a tangent curve concave to the southeast and having for its elements: a radius of 560.00 feet, a central angle of 56°48'18", a chord distance of 532.74 feet and a chord bearing of South 28°55'34" West; thence run southwesterly along said curve for a distance of 555.20 feet; thence run South 00°31'25" West for a distance of 172.34 feet to a point on the aforementioned north boundary of the southwest quarter of said Section 11; thence continuing South 00°31'25" West for a distance of 53.28 feet to the point of curvature of a tangent curve concave to the west and having for its elements: a radius of 1140.00 feet, a central angle of 21°35'33" a chord distance of 427.08 feet and a chord bearing of South 11°19'11" West; thence run southerly along said curve for a distance of 429.62 feet to a point on the aforementioned west boundary of Borrow Pit No. 1; thence run North

00°31'25" East along said west boundary for a distance of 473.06 feet to the POINT OF BEGINNING; said described parcel containing 2.61 acres, more or less.

CITY PARCEL B

COMMENCE at the west quarter corner of Section 11, Township 15 South, Range 21 East, Marion County, Florida; thence run South 89°17'42" East along the north boundary of the southwest quarter of the said section (based on occupation) for a distance of 342.23 feet to the easterly right of way line of Interstate 75 (300.00 feet wide); thence run South 00°31'25" West along said easterly right of way line for a distance of 599.20 feet to the northwest corner of the Florida Department of Transportation Haul Route; thence run South 89°28'35" East along the north boundary of said Haul Route, for a distance of 154.83 feet to the POINT OF BEGINNING; thence continuing easterly along said north boundary for a distance of 88.54 feet; thence run South 25°53'58" West for a distance of 55.34 feet to the south boundary of said Haul Route; thence run North 89°28'35" West along said south boundary for a distance of 88.54 feet; thence run North 25°53'58" East for a distance of 55.34 feet to the POINT OF BEGINNING; said described parcel contains 4427.16 square feet, more or less.

CITY PARCEL C

COMMENCE at the west quarter corner of Section 11, Township 15 South, Range 21 East, Marion County, Florida; thence run South 89°17'42" East along the north boundary of the southwest quarter of the said section (based on occupation) for a distance of 642.23 feet to a point on the west boundary of the Florida Department of Transportation Borrow Pit No. 1; thence run North 00°31'25" East along said west boundary for a distance of 172.09 feet to the POINT OF BEGINNING; thence continuing northerly along said west boundary for a distance of 679.66 feet to the northwest corner of said Borrow Pit No. 1; thence run South 89°28'35" East along said north boundary of said Borrow Pit No. 1, for a distance of 168.32 feet; thence run South 32°40'17" East for a distance of 187.39 feet to the point of curvature of a non-tangent curve concave to the southeast and having for its elements: a radius of 640.00 feet, a central angle of 54°46'53" and a chord of 588.87 feet, a chord bearing of South 27°54'51" West; thence run southwesterly along said curve for a distance of 611.92 feet to the POINT OF BEGINNING; said described parcel containing 1.76 acres, more or less.

CITY PARCEL E

COMMENCE at the west quarter corner of Section 11, Township 15 South, Range 21 East, Marion County, Florida; thence run South 89°17'42" East along the north boundary of the southwest quarter of said section (based on occupation), for a distance of 722.23 feet to a point that is 80.00 feet east of as measured perpendicular to the west boundary of the Florida Department of Transportation Borrow Pit No. 1; thence run North 00°31'25" East parallel with said west boundary for a distance of 172.34 feet to the POINT OF BEGINNING, said point also being the point of curvature of a tangent curve concave to the southeast and having for its elements: a radius of 560.00 feet, a central angle of 56°48'18", a chord distance of 532.74 feet and a chord bearing of North 28°55'34" East; thence run northeasterly along said curve for a distance of 555.20 feet; thence North 57°19'43" East for a distance of 264.07 feet to the point of curvature of a tangent curve concave to the northwest and having for its elements: a radius of 640.00 feet, a central angle of 09°40'15" a chord distance of 107.90 feet and a chord bearing of North 52°29'35" East; thence run northeasterly along said curve for a distance of 108.02 feet to a point on the north boundary of said Borrow Pit No. 1; thence run South 89°28'35" East along said north boundary for a distance of 360.63 feet to the northeast corner of said Borrow Pit No. 1; thence run South 00°31'25" West along the east boundary of said Borrow Pit No. 1, for a distance of 679.66 feet; thence run North 89°28'35" West parallel with the aforementioned north boundary of said Borrow Pit No. 1, for a distance of 920.00 feet to the POINT OF BEGINNING; said described parcel containing 11.55 acres, more or less.

The above legal descriptions prepared under the direction of:
J.M. Bartholomew, P.S.M. No. 4883
City of Ocala
405 S.E. Osceola Avenue
Ocala, Florida 34471
February 7, 2003.

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CONDITIONS:

All rights of access from adjoining property owned by the Party of the First Part and all rights of light, air, and view are hereby reserved to the Party of the First Part. In addition, if, at any time, Party of the Second Part abandons the property, ceases use of the property for public purposes, or attempts to convey the property to any other person or entity (other than another governmental entity for public purpose use), all right, title and

interest in and to the property shall automatically revert to the Party of the First Part. The Party of the Second Part, by acceptance of this deed, further agrees that in the event that any of the property is ever needed for transportation purposes by the Party of the First Part, it will reconvey, without compensation, any such property needed.

AS TO CITY PARCEL E, the Party of the First Part Reserves drainage rights to continue draining storm water into the existing water retention area and into any future joint use water retention constructed by the Party of the Second part upon said land.

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