

07-PE13-05/22

September 11, 2025

This instrument prepared by

Tammy Mackey

Under the direction of

J. RYAN MAHLER, II, ATTORNEY

Department of Transportation

719 South Woodland Boulevard

DeLand, Florida 32720-6834

PARCEL NO. 802.01

SECTION 36210

F.P. NO. 443624-1 / 452074-1

STATE ROAD 93 (I-75)

COUNTY MARION

PERPETUAL STORM SEWER EASEMENT AND ACCESS EASEMENT

THIS EASEMENT made this _____ day of _____, _____, by the CITY OF OCALA, a municipality organized under the laws of the State of Florida, grantor(s), to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar 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 clearing, excavating, constructing, operating, and maintaining a stormwater pipeline below ground level, with all such fills, cuts, drains, ditches and other incidents which the grantee may deem necessary or convenient in connection therewith, in, over, under, upon and through the following described land in Marion County, Florida, viz:

Parcel No. 802

Perpetual Storm Sewer & Access Easement

SECTION 36210

FP 443624-1 & 452074-1

All of Parcel B as described in Official Records Book 3415, Page 1778 of the Public Records of Marion County, Florida.

Being more particularly described as follows:

Commence at the West 1/4 corner of Section 11, Township 15 South, Range 21 East, said point being a found 8" octagonal concrete monument with a brass disk stamped "SEC. COR. 10 11" as shown on Florida Department of Transportation Right of Way Map, Section 36210, Financial Project number 443624-1 & 452074-1; thence South 89°18'00" East along the North line of the Southwest 1/4 of said Section 11, a distance of 342.22 feet to the existing East limited access right of way line of State Road 93 per said right of way map; thence departing said North line, South 00°31'09" West along said East limited access right of way line, a distance of 599.17 feet to a point on the existing North line of a haul road per said right of way map; thence departing said East limited access right of way line, South 89°28'36" East along said North line, a distance of 154.83 feet to the Northwest corner of Parcel B of lands described in official records book 3415, page 1778 of the Public Records of Marion County,

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Florida and the POINT OF BEGINNING; thence the following four (4) courses along the boundary of said Parcel B; thence continue South 89°28'36" East, a distance of 88.54 feet; thence South 25°53'57" West, a distance of 55.34 feet; thence North 89°28'36" West, a distance of 88.54 feet; North 25°53'57" East, a distance of 55.34 feet to the POINT OF BEGINNING.

Containing 4,427 square feet, more or less.

Grantor, its successors and assigns, may utilize the surface area of the easement for landscaping and pavement but may not construct or allow to be constructed any structural improvements of any kind within the easement area, including, but not limited to, foundations, retaining walls, dumpster pads, light poles or their foundations, signs or their foundations, etc. Trees or deep-rooting plants shall not be permitted within the area of the easement, though light landscaping and associated irrigation shall be permitted.

Grantor, its successors and assigns, shall not allow for the placement of any utilities within the area of the easement that would be inconsistent with Grantee's enjoyment and use of the easement granted herein. No additional in-ground utilities may be placed above or longitudinally with the improvements made by the Grantee. However, additional utilities may be placed perpendicularly and below, at a depth of not less than twenty-four (24) inches of any improvements made by Grantee, subject to Grantee's prior review and approval. Should Grantor wish to place in the area of the easement any gravity-fed sanitary sewer lines, storm sewer lines, or lighting conduit perpendicularly and above Grantee's pipe, exceptions may be made subject to Grantee's prior review and approval. Grantee shall not unreasonably withhold said approval.

The existing ground elevation is to be maintained throughout the drainage easement area, with a minimum cover of three (3) feet, except where permission has been explicitly sought and provided to Grantor, its successors and assigns.

Grantor shall be permitted to construct surface pavement and standard roadway surface-level improvements for a future roadway, such as sidewalk or standard curb and gutter, subject to Grantee's review of the design and construction for compliance with Department Drainage Manual criteria. Any and all other redevelopment of any portion of the easement area by Grantor, its successors and assigns, shall be subject to prior review and approval of Grantee.

With the exception of surface pavement, should any improvements be placed within the area of the easement, Grantee shall have the right to remove any and all improvements from the area of the easement. Grantee may maintain its improvements within the area of the easement, without any approval from Grantor, its successors and assigns. Grantee shall, likewise, not be required to replace any improvements.

Should Grantee need to remove surface pavement, Grantee shall coordinate with Grantor to perform such work in accordance with the needs of the travelling public and shall restore it in kind.

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

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

CITY OF OCALA, FLORIDA,
A Florida municipal corporation

By: KRISTEN M. DREYER, as
President, Ocala City Council

WITNESS 1 (signature)

Angel B. Jacobs

WITNESS 1 (printed name)

110 S.E. Watula Avenue,
Ocala, Florida 34471

WITNESS 1 (address)

WITNESS 2 (signature)

William E. Sexton

WITNESS 2 (printed name)

110 S.E. Watula Avenue,
Ocala, Florida 34471

WITNESS 2 (address)

ATTEST:

APPROVED AS TO FORM/LEGALITY:

ANGEL B. JACOBS, City Clerk

WILLIAM E. SEXTON, City Attorney

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this ___ day of ___ 2025, by KRISTEN M. DREYER, as President of the City Council of the City of Ocala, Florida, a Florida municipal corporation, who is personally known to me, for and on behalf of the City of Ocala, Florida.

NOTARY PUBLIC