

RESOLUTION NO. R15-__

(Parcels 101, 701A, and 701B)

RESOLUTION AUTHORIZING LEON COUNTY, FLORIDA TO EXERCISE EMINENT DOMAIN POWER TO ACQUIRE CERTAIN PROPERTY INTERESTS IN LEON COUNTY, FLORIDA, TO CONSTRUCT, OPERATE, AND MAINTAIN EXPANSIONS, IMPROVEMENTS AND/OR OTHER ALTERATIONS CONCERNING THE OLD BAINBRIDGE AT PULLEN ROAD INTERSECTION IMPROVEMENT PROJECT, WITH RESPECT TO PARCELS 101, 701A, AND 701B.

WHEREAS, Leon County, Florida (the “County”) is a charter county and political subdivision of the State of Florida; and

WHEREAS, pursuant to Chapter 127, Florida Statutes, the Board of County Commissioners (the “Board”) is authorized to exercise the power of eminent domain, including the eminent domain power granted to the Department of Transportation by Section 337.27(1), Florida Statutes, the transportation corridor protection provisions of Section 337.273, Florida Statutes, and the right of entry onto property pursuant to Section 337.274, Florida Statutes; and

WHEREAS, in order to reduce the number of traffic crashes in and around the intersection of Old Bainbridge Road at Pullen Road, and to otherwise address the safe and efficient movement of vehicular and pedestrian traffic through the area, the Board approved the Old Bainbridge at Pullen Road Intersection Improvement Project (the “Project”); and

WHEREAS, the Project will improve all traffic movements through the Old Bainbridge at Pullen Road intersection and will enhance the safety for vehicles and pedestrians by calming the traffic through the intersection and reducing congestion during peak traffic hours; and

WHEREAS, it is in the public interest and for the public benefit to provide safe and efficient roadways and intersections which protect the health, welfare, and safety of the general public by reducing the number of traffic crashes and the congestion of traffic during peak hours; and

WHEREAS, the County and its consultants have considered and weighed many factors, including but not limited to the availability of an alternate alignments, long-range planning, safety considerations, environmental factors, and costs; and

WHEREAS, the County has insufficient interests in real property in the Old Bainbridge at Pullen Road area to construct the Project; and

WHEREAS, the estates and interests in the real property described herein are reasonably necessary to adequately accommodate the planned improvements, expansions, and/or alterations concerning the Project; and

WHEREAS, the County and its consultants have prepared property descriptions and surveys which sufficiently describe and identify the property and interests reasonably necessary to be acquired from the property owner for the public purpose of constructing the Project; and

WHEREAS, a fee simple interest in the portion of the real property, which portion is identified in the map of description attached hereto as “Exhibit A,” hereinafter referred to as Parcel 101, is reasonably necessary to construct the Project; and

WHEREAS, additional non-exclusive temporary construction easement interests in other portions of the same real property, which other portions are identified in the maps of description attached hereto as “Composite Exhibit B,” hereinafter referred to as Parcels 701A and 701B, are reasonably necessary to construct the Project; and

WHEREAS, the County’s consultants indicate it is reasonably probable that the County will obtain all necessary approvals for the Project from the appropriate governmental entities, including those charged with protecting the natural resources; and

WHEREAS, the County’s consultants indicate that condemnation of a fee simple interest in Parcel 101, and of non-exclusive temporary construction easement interests in Parcels 701A and 701B will not result in irreparable harm to natural resources or the environment in the unlikely event that such approvals for this Project are not obtained from the appropriate governmental entities charged with protecting the natural resources; and

WHEREAS, the County has otherwise satisfied all applicable conditions precedent; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, as follows:

1. The Board hereby determines that the construction of the Old Bainbridge at Pullen Road Intersection Improvement Project represents a valid County public purpose.
2. Acquiring a fee simple interest in the real property identified as Parcel 101 as depicted in “Exhibit A” is reasonably necessary for the County public purpose of constructing the Old Bainbridge at Pullen Road Intersection Improvement Project.
3. Acquiring a non-exclusive temporary construction easement interest in the real property identified as Parcels 701A and 701B as depicted in “Composite Exhibit B” is reasonably necessary for the County public purpose of constructing the Old Bainbridge at Pullen Road Intersection Improvement Project.

4. The County Attorney, in cooperation with the County Administrator and his designated staff, is authorized and directed to institute such negotiations, eminent domain proceedings pursuant to Chapters 73 and/or 74, Florida Statutes, and other collateral proceedings, so as to allow the County to take title and possession of a fee simple interest in the real property identified as Parcel 101 as depicted in "Exhibit A" and of non-exclusive temporary construction easement interests in Parcels 701A and 701B as depicted in "Composite Exhibit B."

5. This Resolution shall become effective upon being adopted and executed.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 8th day of December, 2015.

LEON COUNTY, FLORIDA

By: _____
Bill Proctor, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Circuit Court
and Comptroller, Leon County, Florida

By: _____

Approved as to Form:

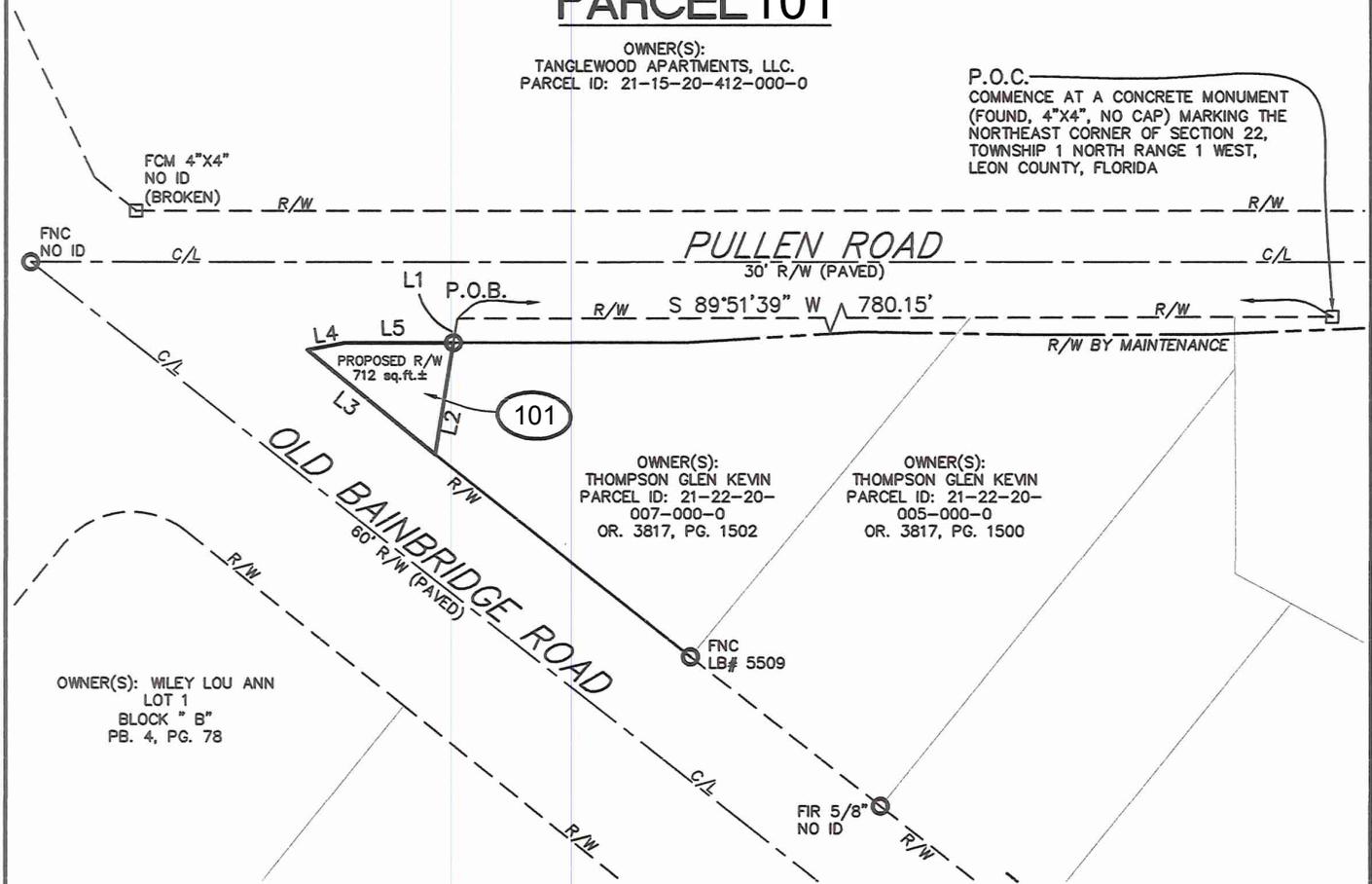
Office of the County Attorney
Leon County, Florida

By: _____
Herbert W. A. Thiele
County Attorney

SKETCH OF DESCRIPTION PROPOSED R/W PARCEL 101

Exhibit "A"

Page A1 of 1



LINE TABLE		
LINE	BEARING	LENGTH
L1	S09°11'35"W	7.12'
L2	S09°11'35"W	32.85'
L3	N50°42'29"W	47.86'
L4	N79°05'15"E	10.83'
L5	N89°52'18"E	31.65'



PROPERTY DESCRIPTION: (PARCEL 801)

COMMENCE AT A CONCRETE MONUMENT (FOUND, 4"x4", NO CAP) MARKING THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 1 NORTH RANGE 1 WEST, LEON COUNTY, FLORIDA, AND RUN THENCE SOUTH 89 DEGREES 51 MINUTES 39 SECONDS WEST 780.15 FEET TO A POINT ON THE SOUTHERLY MONUMENTED RIGHT-OF-WAY BOUNDARY OF PULLEN ROAD; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY BOUNDARY RUN S 09°11'35" W A DISTANCE OF 7.12 FEET FOR THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 09 DEGREES 11 MINUTES 35 SECONDS WEST A DISTANCE OF 32.85 FEET TO THE NORTH RIGHT-OF-WAY BOUNDARY OF OLD BAINBRIDGE ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY BOUNDARY RUN NORTH 50 DEGREES 42 MINUTES 29 SECONDS WEST A DISTANCE OF 47.86 FEET TO THE SOUTHERLY MAINTAINED RIGHT-OF-WAY BOUNDARY OF PULLEN ROAD; THENCE ALONG SAID SOUTHERLY MAINTAINED RIGHT-OF-WAY BOUNDARY NORTH 79 DEGREES 05 MINUTES 15 SECONDS EAST A DISTANCE OF 10.83 FEET; THENCE N 89°52'18" E A DISTANCE OF 31.65 FEET TO THE POINT OF BEGINNING. CONTAINING 712 SQ. FT. ±

LEGEND

<ul style="list-style-type: none"> AC. - ACRES ASPH. - ASPHALT AVE. - AVENUE BLDG. - BUILDING BLVD. - BOULEVARD B. M. - BENCHMARK BRG. - BEARING C. G. - CURB and GUTTER C. M. - CONCRETE MONUMENT CD. - COUNTY CONC. - CONCRETE <D> - DEED / DESIGN INFORMATION E - EAST ELEC. - ELECTRIC ELEV. - ELEVATION F. F. E. - FINISHED FLOOR ELEVATION F. HYD. - FIRE HYDRANT FOUND. - FOUND FT. - FEET 	<ul style="list-style-type: none"> HWY. - HIGHWAY I. P. - IRON PIPE I. R. - IRON ROD M. H. - MANHOLE MON. - MONUMENT N - NORTH NE - NORTHEAST NGS - NATIONAL GEODETIC SURVEY NGVD - NATIONAL GEODETIC VERTICAL DATUM NO. - NUMBER N&C - NAIL and CAP NW - NORTHWEST DHU - OVERHEAD UTILITY LINE <P> - PLAT INFORMATION P. C. - POINT OF CURVATURE P. C. C. - POINT OF COMPOUND CURVATURE P. C. P. - PERMANENT CONTROL POINT P. I. - POINT OF INTERSECTION P. O. B. - POINT OF BEGINNING PRM - PERMANENT REFERENCE MONUMENT 	<ul style="list-style-type: none"> P. O. C. - POINT OF COMMENCEMENT P. T. - POINT OF TANGENCY R - RADIUS RNG. - RANGE RD. - ROAD REF. - REFERENCE R/R - RAILROAD R/W - RIGHT OF WAY <S> - SURVEY INFORMATION SEC. - SECTION S. R. - STATE ROAD S. S. - SANITARY SEWER ST. - STREET STA. - STATION TWN. - TOWNSHIP TBM - TEMPORARY BENCHMARK T. C. - TERRA COTTA TELE. - TELEPHONE USGS - U. S. GEOLOGICAL SURVEY W - WEST
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**CERTIFY TO:
CITY OF TALLAHASSEE
GENESIS GROUP**

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Surveyors and Mappers in Chapter 5J-17.050 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

NOTES

1. THIS IS NOT A BOUNDARY SURVEY.
2. NO TITLE OPINION OR ABSTRACT OF MATTERS CONCERNING THIS PROPERTY WAS FURNISHED AT THE TIME OF THIS SURVEY.
3. THE BOUNDARIES SHOWN HEREON ARE BASED ON LEGAL DESCRIPTIONS.
4. NO UNDERGROUND UTILITIES WERE LOCATED EXCEPT AS SHOWN.
5. NO OTHER IMPROVEMENTS WERE LOCATED EXCEPT AS SHOWN.
6. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEVEN W. STINSON DATE 3/2-15
 FLORIDA PROFESSIONAL LAND SURVEYOR No. 5457
 FLORIDA LICENSED BUSINESS No. 7834

Meridian

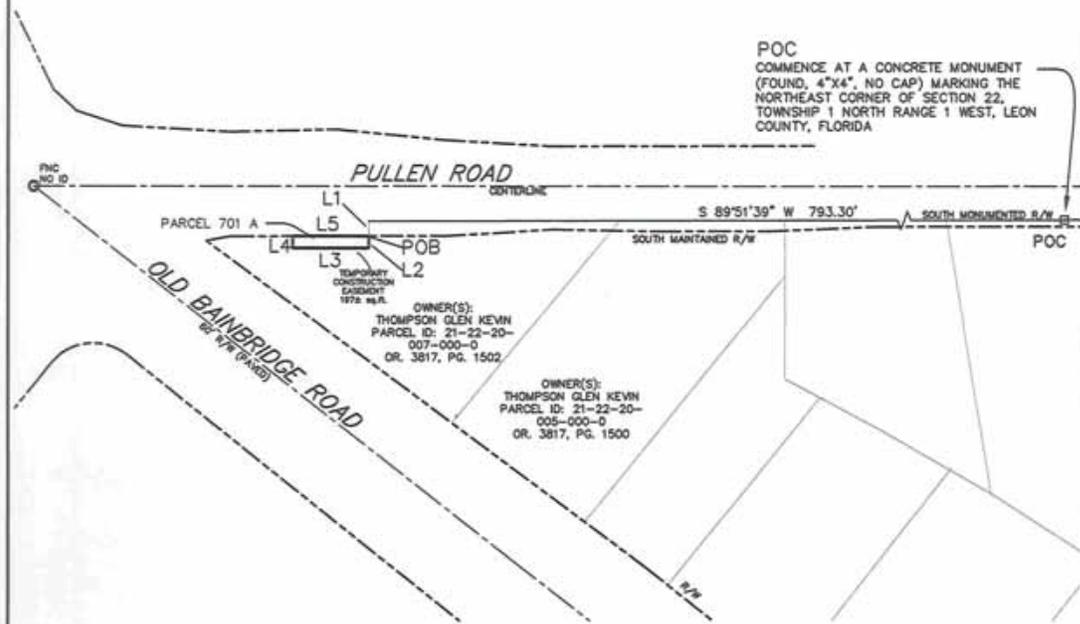
SURVEYING and MAPPING INC.

3201 Shamrock Street South, Suite #101
Tallahassee, Florida 32309
Office: (850) 668-7641 Fax: (850) 668-7648

DRAWN BY : S. BROWN	SHEET NO.
CHECKED BY : S. STINSON	1
DATE : MARCH 3, 2015	OF 1
REVISED:	
SCALE 1" = N/A	JOB NO.
FIELD BOOK N/A DATE OF SURVEY: N/A	20833.07

Composite
Exhibit "B"
Page B1 of 4

SKETCH OF DESCRIPTION
Temporary Construction Easement
(PARCEL 701 A)



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°07'42"E	7.03'
L2	S00°07'42"E	5.59'
L3	S89°52'18"W	35.28'
L4	N00°07'42"W	5.59'
L5	N89°52'18"E	35.28'

PROPERTY DESCRIPTION:

(Temporary Construction Easement) Parcel 701 A
COMMENCE AT A CONCRETE MONUMENT (FOUND, 4"x4", NO CAP) MARKING THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 1 NORTH RANGE 1 WEST, LEON COUNTY, FLORIDA AND THENCE RUN S 89°51'39" W 793.30 FEET ALONG THE SOUTH MONUMENTED RIGHT OF WAY LINE OF PULLEN ROAD; THENCE RUN S 00°07'42" E, A DISTANCE OF 7.03 FEET TO THE MAINTAINED RIGHT OF WAY LINE OF PULLEN ROAD AND THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN S 00°07'42" E A DISTANCE OF 5.59 FEET; THENCE RUN S 89°52'18" W, A DISTANCE OF 35.28 FEET; THENCE RUN N 00°07'42" W, A DISTANCE OF 5.59 FEET; THENCE RUN N 89°52'18" E, A DISTANCE OF 35.28 FEET TO THE POINT OF BEGINNING. CONTAINING 197 SQ. FT. ±.



LEGEND

AC - ACRES	HVY. - HIGHWAY	P. O. C. - POINT OF COMMENCEMENT
ASPH. - ASPHALT	I. P. - IRON PIPE	P. T. - POINT OF TANGENCY
AVE. - AVENUE	I. R. - IRON ROD	R - RADIUS
BLDG. - BUILDING	M. H. - MANHOLE	RNG. - RANGE
BLVD. - BOULEVARD	MON. - MONUMENT	RD. - ROAD
B.M. - BENCHMARK	N - NORTH	REF. - REFERENCE
BRG. - BEARING	NE - NORTHEAST	R/W - RAILROAD
C. G. - CURB and GUTTER	NGS - NATIONAL GEODETIC SURVEY	R/W - RIGHT OF WAY
C. M. - CONCRETE MONUMENT	NGVD - NATIONAL GEODETIC VERTICAL DATUM	SEC. - SECTION
CD. - COUNTY	NO. - NUMBER	S. S. - SANITARY SEWER
CONC. - CONCRETE	N&C - NAIL and CAP	ST. - STREET
(D) - DECS / DESIGN INFORMATION	NV - NORTHWEST	STA. - STATION
E - EAST	OUJ - OVERHEAD UTILITY LINE	TWN. - TOWNSHIP
ELEC. - ELECTRIC	CP - CURVATURE	TBM - TEMPORARY BENCHMARK
ELEV. - ELEVATION	P. C. - POINT OF CURVATURE	T. C. - TERRA COTTA
F. F. E. - FINISHED FLOOR ELEVATION	P. C. C. - POINT OF COMPOUND CURVATURE	TELE. - TELEPHONE
F. HYD. - FIRE HYDRANT	P. C. P. - PERMANENT CONTROL POINT	USGS - U. S. GEOLOGICAL SURVEY
Fnd. - FOUND	P. I. - POINT OF INTERSECTION	V - WEST
FT. - FEET	P. O. B. - POINT OF BEGINNING	
	PRM - PERMANENT REFERENCE MONUMENT	

CERTIFY TO:
CITY OF TALLAHASSEE
GENESIS GROUP

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Surveyors and Mappers in Chapter 55-17.050 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Steven W. Stinson
3/5/15
STEVEN W. STINSON
DATE
FLORIDA PROFESSIONAL LAND SURVEYOR No. 5457
FLORIDA LICENSED BUSINESS No. 7834

NOTES

1. THIS IS NOT A BOUNDARY SURVEY.
2. NO TITLE OPINION OR ABSTRACT OF MATTERS CONCERNING THIS PROPERTY WAS FURNISHED AT THE TIME OF THIS SURVEY.
3. THE BOUNDARIES SHOWN HEREON ARE BASED ON LEGAL DESCRIPTIONS.
4. NO UNDERGROUND UTILITIES WERE LOCATED EXCEPT AS SHOWN.
5. NO OTHER IMPROVEMENTS WERE LOCATED EXCEPT AS SHOWN.
6. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



3201 Shamrock Street South, Suite #101
Tallahassee, Florida 32309
Office: (850) 668-7641 Fax: (850) 668-7648

DRAWN BY: K. SPELL	SHEET NO.
CHECKED BY: S. STINSON	1
DATE: MARCH 4, 2015	OF 1
REVISED:	
SCALE 1" = 50'	JOB NO.
FIELD BOOK N/A DATE OF SURVEY N/A	20833.07

(PARCEL 701A)

TEMPORARY CONSTRUCTION EASEMENT – TERM SHEET

A Temporary Construction Easement (“TCE”) over the parcel of land described herein for the purpose of facilitating the harmonization of the subject property’s driveway connection(s) to Pullen Road as a part of Leon County’s Old Bainbridge at Pullen Road Intersection Improvement Project (“Project”), limited to the uses as follows, to wit:

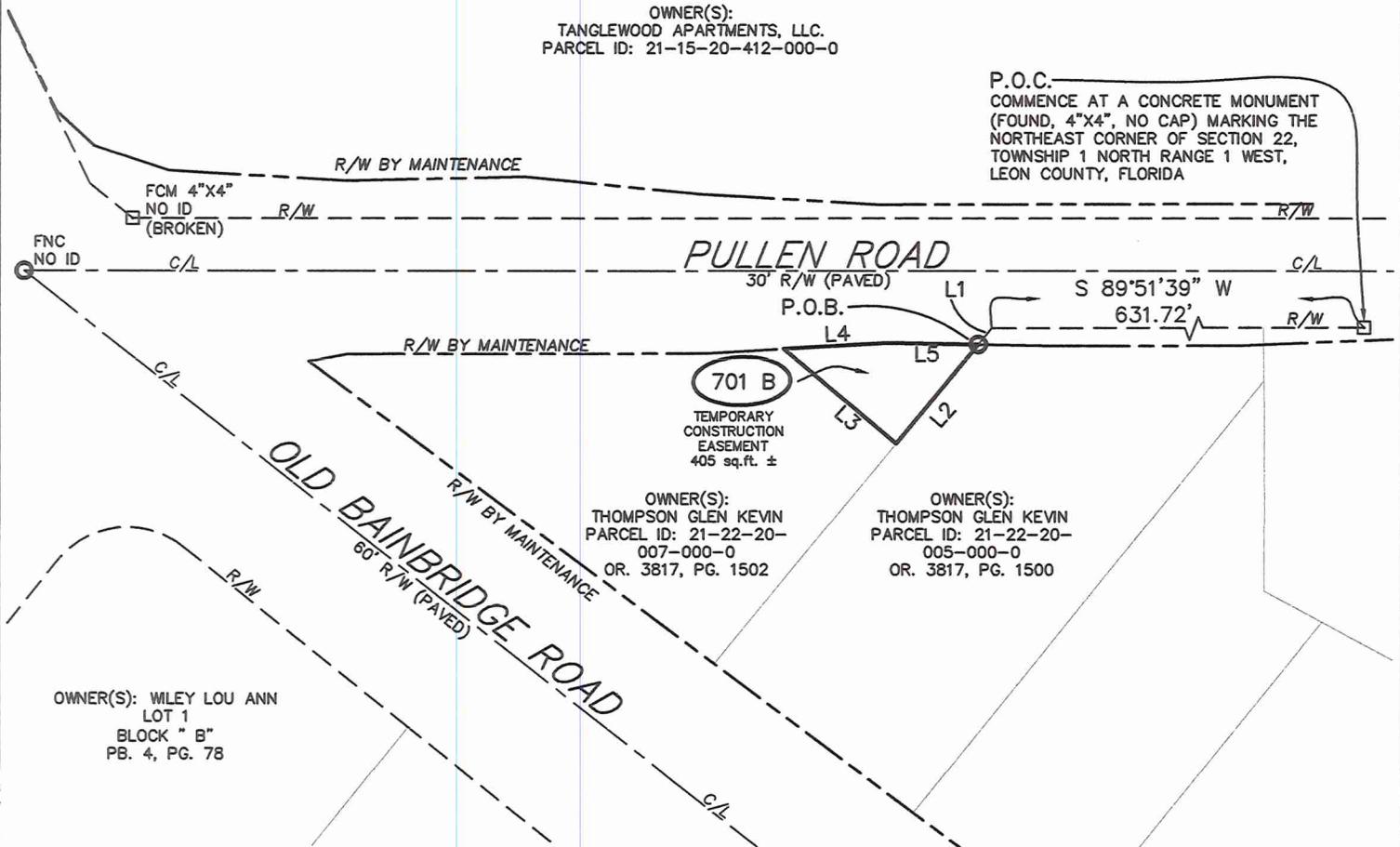
- (a) Leon County and its contractors shall have the right to ingress, egress and use the above described lands to perform all work necessary for the purpose of tying in and harmonizing the remainder property and the improvements thereon to the improvements to be constructed in connection with the Project, including without limitation sloping, grading, clearing, grubbing, storage of materials and equipment, excavation, and restoration, subject to subparagraph (d), below;
- (b) Following completion of construction, Leon County and/or its contractors shall remove its materials and equipment associated with said activities, and shall restore, repair or replace any pre-existing asphalt, curbing, and/or sod within the TCE area disturbed by such activities. Pre-existing sod or landscaping, if any, within the TCE disturbed by the construction shall be replaced with sod or plants of such comparable species and size, as are readily available;
- (c) Leon County and/or its contractors shall have the right to operate vehicles and equipment within the TCE area and to use said easement to park said vehicles and equipment and store materials, subject to subparagraph (d), below;
- (d) The TCE shall be non-exclusive and Leon County and/or its contractor’s use and enjoyment of the rights granted herein shall not interfere with reasonable vehicular or pedestrian access to the remaining property over the TCE area;
- (e) The TCE shall expire upon the final completion of the construction of the Project, but in no event later than three years from the date on which Leon County acquires title to the TCE.

SKETCH OF DESCRIPTION

Temporary Construction Easement (Parcel 701 B)

OWNER(S):
TANGLEWOOD APARTMENTS, LLC.
PARCEL ID: 21-15-20-412-000-0

P.O.C.
COMMENCE AT A CONCRETE MONUMENT
(FOUND, 4"X4", NO CAP) MARKING THE
NORTHEAST CORNER OF SECTION 22,
TOWNSHIP 1 NORTH RANGE 1 WEST,
LEON COUNTY, FLORIDA



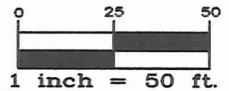
OWNER(S):
THOMPSON GLEN KEVIN
PARCEL ID: 21-22-20-007-000-0
OR. 3817, PG. 1502

OWNER(S):
THOMPSON GLEN KEVIN
PARCEL ID: 21-22-20-005-000-0
OR. 3817, PG. 1500

OWNER(S): WILEY LOU ANN
LOT 1
BLOCK " B"
PB. 4, PG. 78

LINE TABLE

LINE	BEARING	LENGTH
L1	S39°22'33"W	5.86'
L2	S39°22'33"W	36.37'
L3	N49°38'51"W	41.44'
L4	N86°43'32"E	29.00'
L5	S89°10'03"E	25.70'



PROPERTY DESCRIPTION:

(Temporary Construction Easement) T.C.E. "701 B"

COMMENCE AT A CONCRETE MONUMENT (FOUND, 4"X4", NO CAP) MARKING THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 1 NORTH RANGE 1 WEST, LEON COUNTY, FLORIDA, AND RUN THENCE SOUTH 89 DEGREES 51 MINUTES 39 SECONDS WEST 631.72 FEET TO A POINT ON THE SOUTHERLY MONUMENTED RIGHT-OF-WAY BOUNDARY OF PULLEN ROAD; THENCE LEAVING SAID MONUMENTED RIGHT OF WAY RUN SOUTH 39 DEGREES 22 MINUTES 33 SECONDS WEST A DISTANCE OF 5.86 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 39 DEGREES 22 MINUTES 33 SECONDS WEST, A DISTANCE OF 36.37 FEET; THENCE NORTH 49 DEGREES 38 MINUTES 51 SECONDS WEST A DISTANCE OF 41.44 FEET TO THE MAINTAINED RIGHT OF WAY OF PULLEN ROAD; THENCE NORTH 86 DEGREES 43 MINUTES 32 SECONDS WEST, ALONG THE SOUTHERN MAINTAINED RIGHT OF WAY, A DISTANCE OF 29.00 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY MAINTAINED RIGHT-OF-WAY BOUNDARY SOUTH 89 DEGREES 10 MINUTES 03 SECONDS EAST A DISTANCE OF 25.70 FEET TO THE POINT OF BEGINNING. CONTAINING 405 SQ. FT. ±

LEGEND

AC. - ACRES ASPH. - ASPHALT AVE. - AVENUE BLDG. - BUILDING BLVD. - BOULEVARD B.M. - BENCHMARK BRG. - BEARING C.G. - CURB and GUTTER C.M. - CONCRETE MONUMENT CO. - COUNTY CONC. - CONCRETE (D) - DEED / DESIGN INFORMATION E - EAST ELEC - ELECTRIC ELEV. - ELEVATION F.F.E. - FINISHED FLOOR ELEVATION F. HYD. - FIRE HYDRANT Fnd. - FOUND FT. - FEET	HWY. - HIGHWAY I.P. - IRON PIPE I.R. - IRON ROD M.H. - MANHOLE MON. - MONUMENT N - NORTH NE - NORTHEAST NGS - NATIONAL GEODETIC SURVEY NGVD - NATIONAL GEODETIC VERTICAL DATUM NO. - NUMBER N&C - NAIL and CAP NW - NORTHWEST OHU - OVERHEAD UTILITY LINE (P) - PLAT INFORMATION P.C. - POINT OF CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.C.P. - PERMANENT CONTROL POINT P.I. - POINT OF INTERSECTION P.O.B. - POINT OF BEGINNING PRM - PERMANENT REFERENCE MONUMENT	P.O.C. - POINT OF COMMENCEMENT P.T. - POINT OF TANGENCY R - RADIUS R. - RANGE RD. - ROAD REF. - REFERENCE R/R - RAILROAD R/W - RIGHT OF WAY (S) - SURVEY INFORMATION SEC. - SECTION S.R. - STATE ROAD S.S. - SANITARY SEWER ST. - STREET STA. - STATION TWN. - TOWNSHIP TBM - TEMPORARY BENCHMARK T.C. - TERRA COTTA TELE. - TELEPHONE USGS - U.S. GEOLOGICAL SURVEY W - WEST
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CERTIFY TO:
CITY OF TALLAHASSEE
GENESIS GROUP

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Surveyors and Mappers in Chapter 5J-17.050 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

NOTES

1. THIS IS NOT A BOUNDARY SURVEY.
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5. NO OTHER IMPROVEMENTS WERE LOCATED EXCEPT AS SHOWN.
6. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

(Signature)
STEVEN W. STINSON
FLORIDA PROFESSIONAL LAND SURVEYOR No. 5457
FLORIDA LICENSED BUSINESS No. 7834



3201 Shamrock Street South, Suite #101
Tallahassee, Florida 32309
Office: (850) 668-7641 Fax: (850) 668-7648

DRAWN BY : S. BROWN	SHEET NO.
CHECKED BY : S. STINSON	1
DATE : MARCH 25, 2015	OF 1
REVISED:	
SCALE 1" = 50'	JOB NO.
FIELD BOOK N/A PAGE N/A DATE OF SURVEY: N/A	20833.07

(PARCEL 701B)

TEMPORARY CONSTRUCTION EASEMENT – TERM SHEET

A Temporary Construction Easement (“TCE”) over the parcel of land described herein for the purpose of facilitating the harmonization of the subject property’s driveway connection(s) to Pullen Road as a part of Leon County’s Old Bainbridge at Pullen Road Intersection Improvement Project (“Project”), limited to the uses as follows, to wit:

- (a) Leon County and its contractors shall have the right to ingress, egress and use the above described lands to perform all work necessary for the purpose of tying in and harmonizing the remainder property and the improvements thereon to the improvements to be constructed in connection with the Project, including without limitation sloping, grading, clearing, grubbing, storage of materials and equipment, excavation, and restoration, subject to subparagraph (d), below;
- (b) Following completion of construction, Leon County and/or its contractors shall remove its materials and equipment associated with said activities, and shall restore, repair or replace any pre-existing asphalt, curbing, and/or sod within the TCE area disturbed by such activities. Pre-existing sod or landscaping, if any, within the TCE disturbed by the construction shall be replaced with sod or plants of such comparable species and size, as are readily available;
- (c) Leon County and/or its contractors shall have the right to operate vehicles and equipment within the TCE area and to use said easement to park said vehicles and equipment and store materials, subject to subparagraph (d), below;
- (d) The TCE shall be non-exclusive and Leon County and/or its contractor’s use and enjoyment of the rights granted herein shall not interfere with reasonable vehicular or pedestrian access to the remaining property over the TCE area;
- (e) The TCE shall expire upon the final completion of the construction of the Project, but in no event later than three years from the date on which Leon County acquires title to the TCE.