

**CERTIFICATE OF CONCURRENCY COMPLIANCE
FOR THE REPLAT OF LOTS 1 AND 4, BLOCK 14,
OF ALACHUA REALTY CO.'S ADDITION
TO THE CITY OF ALACHUA, FLA.**

This Certificate of Concurrency Compliance ("Certificate") is hereby issued to Guru Kuli Holding, LLC, and Govinda Carol and Mahendra Kumar Sharma, ("Developers") by City of Alachua, Florida ("City") this 26th day of March, 2018.

R E C I T A L S

WHEREAS, the DEVELOPERS are developing a residential subdivision in the CITY known as the Syer Minor Subdivision, which is a replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla., as per the plat thereof, recorded in Plat Book "A", Page 100, of the Public Records of Alachua County, Florida (the "Project"), as set forth in attached Exhibit "A";

WHEREAS, the DEVELOPERS are the owners of the property described in attached Exhibit "A";

WHEREAS, the DEVELOPERS have secured approval from the City Commission for the Project as part of the City's site specific requirements for applications for Development permits for the subdivision as further set forth in Section 2.4.10(F)(2) of the City's Land Development Regulations (the "LDRs");

WHEREAS, the LDRs provide in Article 2, Section 2.4.14 for the issuance of a certificates of concurrency compliance by the City as to provide a mechanism for reviewing applications for development approval to ensure that no development order is issued unless there is adequate public facility capacity for roads, sanitary sewer, solid waste, stormwater management, potable water, recreation, and public school facilities. This review is part of a regulatory program of the City to ensure that the adopted level of service standard for each public facility is available to serve development concurrent with the impacts of development;

WHEREAS, Section 2.4.14, requires that a project obtain one or more of the Development permits as defined in Section 2.4.14(D)(2) in order to be eligible for issuance of a Certificate of Concurrency Compliance;

WHEREAS, the Project is zoned Residential Single Family – 3 ("RSF-3");

WHEREAS, the Project seeks the approval of a Final Plat which would permit up to three (3) additional dwelling units;

Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla.

WHEREAS, future development on each lot of the Project shall be required to submit payment for water and wastewater connection fees as determined in the City's Capital Facilities charges as those fees exist prior to final inspection of each residential unit;

WHEREAS, the City has determined that adequate water and wastewater capacity exists to serve the Project;

WHEREAS, the DEVELOPERS acknowledge that this Certificate is a valid exercise of the City's police powers and is authorized by, among other things, Article VIII, Section 2(b) of the Florida Constitution, Section 163.3161, *et. seq.*, Fla. Stat., Section 163.3202, Fla. Stat., and Section 166.201 Fla. Stat.;

WHEREAS, the DEVELOPERS acknowledge that this Certificate is governed by the City's LDRs and, as such, the DEVELOPERS must utilize the administrative procedures contained in the LDRs in the event there is any dispute regarding this Certificate; and

WHEREAS, the DEVELOPERS acknowledge that this Certificate constitutes a regulatory agreement required as part of the process for the issuance of Development permits for the Project and, as such, the DEVELOPERS have no claim for monetary damages against the City in the event of any dispute regarding this Certificate, the DEVELOPERS' sole remedy for any dispute in any way relating to this Certificate is an action for declaratory relief, and nothing in this Certificate expressed or implied waives or should be construed to as a waiver or attempted waiver by the City of its sovereign immunity under the Florida Constitution and the laws of the State of Florida.

NOW THEREFORE, BASED UPON THE FOREGOING RECITALS, findings of fact and conclusion of law, the City issues this Certificate of Concurrency subject to the following conditions of issuance:

1. The above recitals are true and correct and are incorporated into this Certificate by reference.
2. The City will reserve 825 gallons per day (3 lots x 275 gallons per day) of water capacity for the 3 units proposed by the Project. This capacity reservation is intended solely for residential uses to be constructed within the Project as defined by applicable development permits, including but not limited to the final plat for the Project. However, it shall be the responsibility of the property owner at the time of development of each lot to facilitate the conveyance of water to the lot.

3. The City will reserve 750 gallons per day (3 lots x 250 gallons per day) of wastewater capacity for the 3 units proposed by the Project. This capacity reservation is intended solely for residential uses to be constructed within the Project as defined by applicable development permits, including but not limited to the final plat for the Project. However, it shall be the responsibility of the property owner at the time of development of each lot to facilitate the discharge of wastewater from the lot.
4. The City will reserve the following trips of traffic capacity for the three (3) dwelling units proposed by the Project as defined by applicable development permits, including but not limited to the final plat for the Project: 29 Average Annual Daily Trips (“AADT”) and 2 Peak Hour Trips along Comprehensive Plan Segment 9 of State Road 235 (from US Highway 441 to the north City Limits of Alachua).
5. The City will reserve 0.02 acres of recreation capacity for the three (3) dwelling units proposed by the Project as defined by applicable development permits, including but not limited to the final plat for the Project.
6. The City will reserve 5.19 tons per year of solid waste capacity for the three (3) dwelling units proposed by the Project as defined by applicable development permits, including but not limited to the final plat for the Project.
7. The City will reserve one (1) student station in the Northwest School Concurrency Service Area (ACSA) for elementary schools, one (1) student station in the Mebane SCSA for middle schools, and one (1) student station in the Santa Fe SCSA for high schools, for the three (3) dwelling units proposed by the Project as defined by applicable development permits, including but not limited to the final plat for the Project.
8. This Certificate shall not be construed to be an absolute guarantee for the reservations should events occur which are outside the control of the City.
9. This Certificate of Concurrency shall be valid for a period of one year unless otherwise extended in accordance with the provisions of Section 2.4.14(J)(2)(b) of the LDRs.

THIS CERTIFICATE OF CONCURRENCY COMPLIANCE IS ISSUED this 26th
day of March, 2018, and is subject to the terms and findings as stated herein.

Attest:

CITY OF ALACHUA


Traci Gresham, City Manager

By: 
Gib Coerper, Mayor

STATE OF FLORIDA
COUNTY OF ALACHUA

THE FOREGOING Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Florida was acknowledged before me this 26th day of March, 2018, by GIB COERPER, who is personally known to me or who produced _____ as identification.

Notary Public, State of Florida at large
Commission No.:
Expiration: [SEAL]

Approved as to form:


Marian B. Rush, City Attorney

SIGNATURES CONTINUE ON NEXT PAGE

Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla.

DEVELOPERS:

ON BEHALF OF GURU KULI HOLDING, LLC:

Witnesses:

Susan L. Mikolaitis

Susan L. Mikolaitis

Print Name

By:

Serene Syer MGRM

Serene Syer MGRM

Print Name and Title

Callie B. Worthington

Callie B. Worthington

Print Name

STATE OF FLORIDA
COUNTY OF Alachua

THE FOREGOING Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Florida, was acknowledged before me this 6th day of March, 2018, by Serene Syer who is personally known to me or who produced FL. Drivers License as identification.

Callie B. Worthington

Notary Public, State of Florida at large

Commission No.: GG005418

Expiration: June 23, 2020



[SEAL]


SIGNATURES CONTINUE ON NEXT PAGE

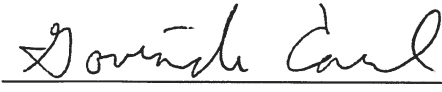
Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla.

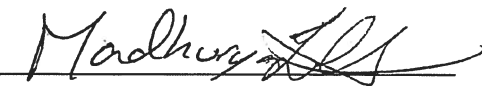
DEVELOPERS:

GOVINDA CAROL:

Witnesses:

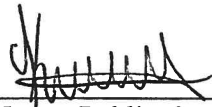

Vidura Scott
Print Name

By: 
GOVINDA CAROL
GOVINDA CAROL


Madhurya Hilal Scott
Print Name

STATE OF FLORIDA
COUNTY OF Alachua

THE FOREGOING Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Florida, was acknowledged before me this 6th day of March, 2018, by GOVINDA CAROL who is personally known to me or who produced FL DL as identification.


Notary Public, State of Florida at large
Commission No.: GG 010100

Expiration: July 10, 2020



SIGNATURES CONTINUE ON NEXT PAGE

Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla.

DEVELOPERS:

MAHENDRA KUMAR SHARMA:

Witnesses:

Vidura Scott
Vidura Scott
Print Name

Madhugula Lila Scott
Madhugula Lila Scott
Print Name

By: Mahendra Sharma
MAHENDRA SHARMA
MAHENDRA KUMAR SHARMA

STATE OF FLORIDA
COUNTY OF Alachua

THE FOREGOING Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Florida, was acknowledged before me this 6th day of March, 2018, by MAHENDRA KUMAR SHARMA who is personally known to me or who produced NY ID as identification.

Kristie Huang
Notary Public, State of Florida at large
Commission No.: GG 010100

Expiration: July 10, 2020



Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.'s Addition to the City of Alachua, Fla.

EXHIBIT “A”

LOTS 1 AND 4, BLOCK 14, ALACHUA COUNTY REALTY COMPANY’S ADDITION TO THE CITY OF ALACHUA, AS PER THE PLAT THEREOF, RECORDED IN PLAT BOOK “A”, PAGE 100, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

Certificate of Concurrency Compliance for the Replat of Lots 1 and 4, Block 14, of Alachua Realty Co.’s Addition to the City of Alachua, Fla.