

This Instrument Prepared By
Darryl J. Tompkins, Esquire
Darryl J. Tompkins, P.A.
Post Office Box 519
Alachua, FL 32616

**REMOVAL OF PROPERTY FROM THE ALACHUA GATEWAY CENTER
MASTER DECLARATION AND RECIPROCAL EASEMENT AND RESTRICTIVE
COVENANT AGREEMENT**

This Removal of property from the Alachua Gateway Center Master Declaration (the "Declaration") and Reciprocal Easement and Restrictive Covenant Agreement (the "Reciprocal Easement") is made as of the ____ day of _____, 2018, by and among Hipp Investments, LLC, a Delaware Limited Liability Company ("Hipp"), Post Office Box 1000, Alachua, Florida 32616, Talal Properties, Limited, a Florida Limited Partnership ("Talal"), 1326 East Lumsden, Brandon, Florida 33511, Tarek Properties Limited, a Florida Limited Partnership ("Tarek"), 1326 East Lumsden, Brandon, Florida 33511, Alachua A One, LLC, a Florida Limited Liability Company ("Alachua A One"), 15260 NW 147th Drive, Suite 100, Alachua, Florida 32615, Publix Super Markets, Inc., a Florida Corporation ("Publix"), 3300 Publix Corporate Parkway, Lakeland, Florida 33811-3311, A. Mason Grace Rentals, LLC, a Florida Limited Liability Company ("Mason Grace"), 13929 NW 166th Terrace, Alachua, Florida 32615, VyStar Credit Union, a Credit Union Organized Under Florida Law ("VyStar"), 4949 Blanding Boulevard, Jacksonville, Florida 32210, Alachua, FL 0716, LLC, a Florida Limited Liability Company ("Alachua 0716"), 100 2nd Avenue South, Suite 113-S, Saint Petersburg, Florida 33701, Alachua County Farm Bureau, Inc., a Florida Not For Profit Corporation ("Farm Bureau"), 14435 NW US Highway 441, Suite 20, Alachua, Florida 32615, RaceTrac Petroleum, Inc., a Georgia Corporation ("RaceTrac"), 3225 Cumberland Boulevard, Suite 100, Atlanta, Georgia 30339, (collectively Hipp, Talal, Tarek, Alachua A One, Publix, Mason Grace, VyStar, Alachua 0716, Farm Bureau and RaceTrac are sometimes hereafter referred to as the "Owners" or "Parties"), who own real property that is subject to the Declaration.

WITNESSETH:

WHEREAS, Hipp is the owner of the real property described on Exhibit "A" attached hereto (the "Hipp Property"), and Alachua A One, is the owner of the real property described on Exhibit "B" attached hereto (the "Alachua A One Property"), the Hipp Property, and the Alachua A One Property, collectively hereafter the "Property"; and

WHEREAS, the Hipp Property and Alachua A One Property, are to be deeded to the City of Alachua, Florida (the "City") which will all be dedicated as a portion of NW 163rd Lane; and

WHEREAS, the Property is subject to the terms and conditions of the Declaration which is recorded in Official Records Book 2643, Page 795 and Reciprocal Easement recorded in Official Records Book 2643, Page 783, Public Records of Alachua County, Florida; and

WHEREAS, the Parties are desirous of severing and removing the Property from the terms and conditions of the Declaration and the Reciprocal Easement.

NOW THEREFORE, the Parties by execution hereof agree as follows:

1. Conditioned upon express acceptance of and dedication of the Property by the City as NW 163rd Lane Property, upon that event and for so long as the Property has not been vacated or further conveyed by the City, the Property is forever removed and released from the Declaration such that the Property shall no longer be subject to any duties, assessments and obligations under the Declaration.
2. All parties to this Agreement also agree to release of the Property from the Reciprocal Easement and Restrictive Covenant Agreement recorded in Official Records Book 2643, Page 783 of the Public Records of Alachua County, Florida.
3. In all respects, other than the removal of the Property from the effects thereof, the terms and conditions of the Declaration shall remain in full force and effect.
4. This Amendment may be executed in several counterparts, each of which shall be deemed an original and all such counterparts shall together constitute one and the same instrument.

NO FURTHER TEXT ON THIS PAGE

EXECUTION PAGES TO FOLLOW

Exhibit "A"
Hipp Property



April 22, 2017

Legal Description

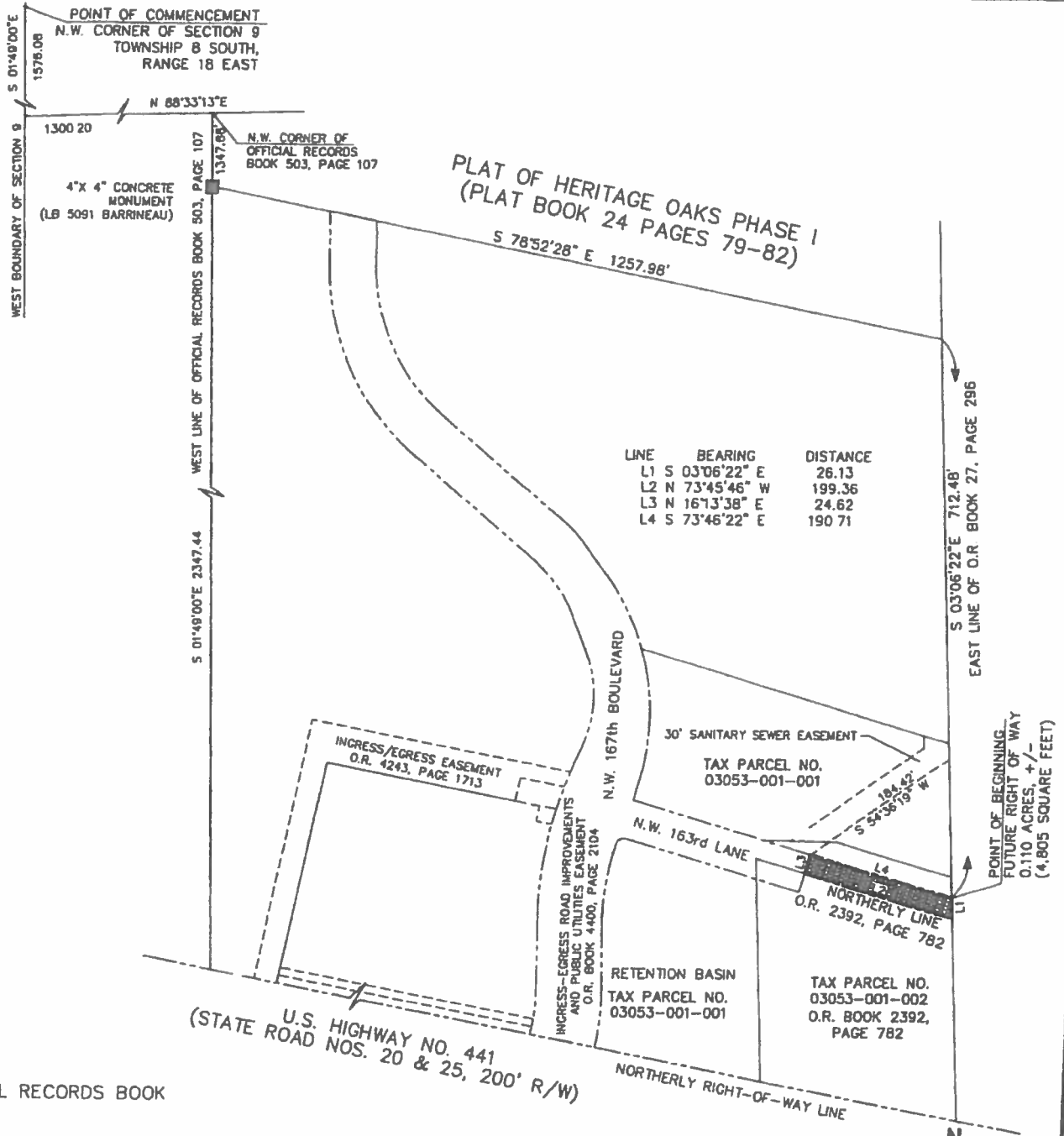
For: Hipp Investments, LLC

Future 163rd Lane Additional R/W

A portion of Fractional Section 9, Township 8 South, Range 18 East, City of Alachua, Alachua County, Florida; being more particularly described as follows:

Commence at the Northwest corner of Fractional Section 9, Township 8 South, Range 18 East, Alachua County, Florida and run thence South 01°49'00" East, along the west boundary of said Section, 1576.08 feet; thence North 88°33'13" East, 1300.20 feet to the Northwest corner of that certain tract of land as described in Official Records Book 503, page 107 of the Public Records of Alachua County, Florida; thence South 01°49'00" East, along the west line of said certain tract of land, 1347.88 feet to a 4" X 4" concrete monument (stamped "LB 5091 BARRINEAU") as depicted on 'Heritage Oaks Phase I', a subdivision as per plat thereof, recorded in Plat Book 24, page 79 of said Public Records; thence South 78°52'28" East, along the south boundary of said Heritage Oaks Phase I, a distance of 1257.98 feet to the southeast corner of said Heritage Oaks Phase I and to a point on the east line of that certain tract of land as described in Official Records Book 27, page 296 of said Public Records; thence South 03°06'22" East, along said east line, 712.48 feet to the Point of Beginning; thence continue South 03°06'22" East, along said east line, 26.13 feet to the northeast corner of that certain parcel of land described in Official Records book 2392, page 782 of said Public Records; thence North 73°45'46" West, along the north line of said certain parcel of land, 199.36 feet to a point on the easterly line of N.W. 163rd Lane as described in the Amendment to Ingress-Egress Road Improvements and Public Utilities Easement Agreement recorded in Official Records Book 4400, page 2104 of Said Public Records; thence North 16°13'38" East, along said easterly line of N.W. 163rd Lane, a distance of 24.62 feet; thence South 73°46'22" East, 190.71 feet to the Point of Beginning.

Containing 0.110 Acres (4,805 Square Feet), more or less.



THIS IS NOT A BOUNDARY SURVEY

DRN.	B.G.	CHKD. B.G.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
			4/22/2017				

LEGAL DESCRIPTION SKETCH OF

A PORTION OF FRACTIONAL SECTION 9
TOWNSHIP 8 SOUTH, RANGE 18 EAST
ALACHUA COUNTY, FLORIDA
SANITARY SEWER EASEMENT

FOR: HIPPO INVESTMENTS, LLC

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE
AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND
MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO
SECTION 472.027 (2016), FLORIDA STATUTES.

BY: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization
do. LB 2389

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

SCALE: 1" = 200'

eda 40 years

eda engineers-surveyors-planners, inc.

LB 2389
2404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL (352) 373-3541 FAX (352) 373-7249
E-MAIL: mail@edafl.com

Exhibit "B"
Alachua A One Property



April 21, 2017

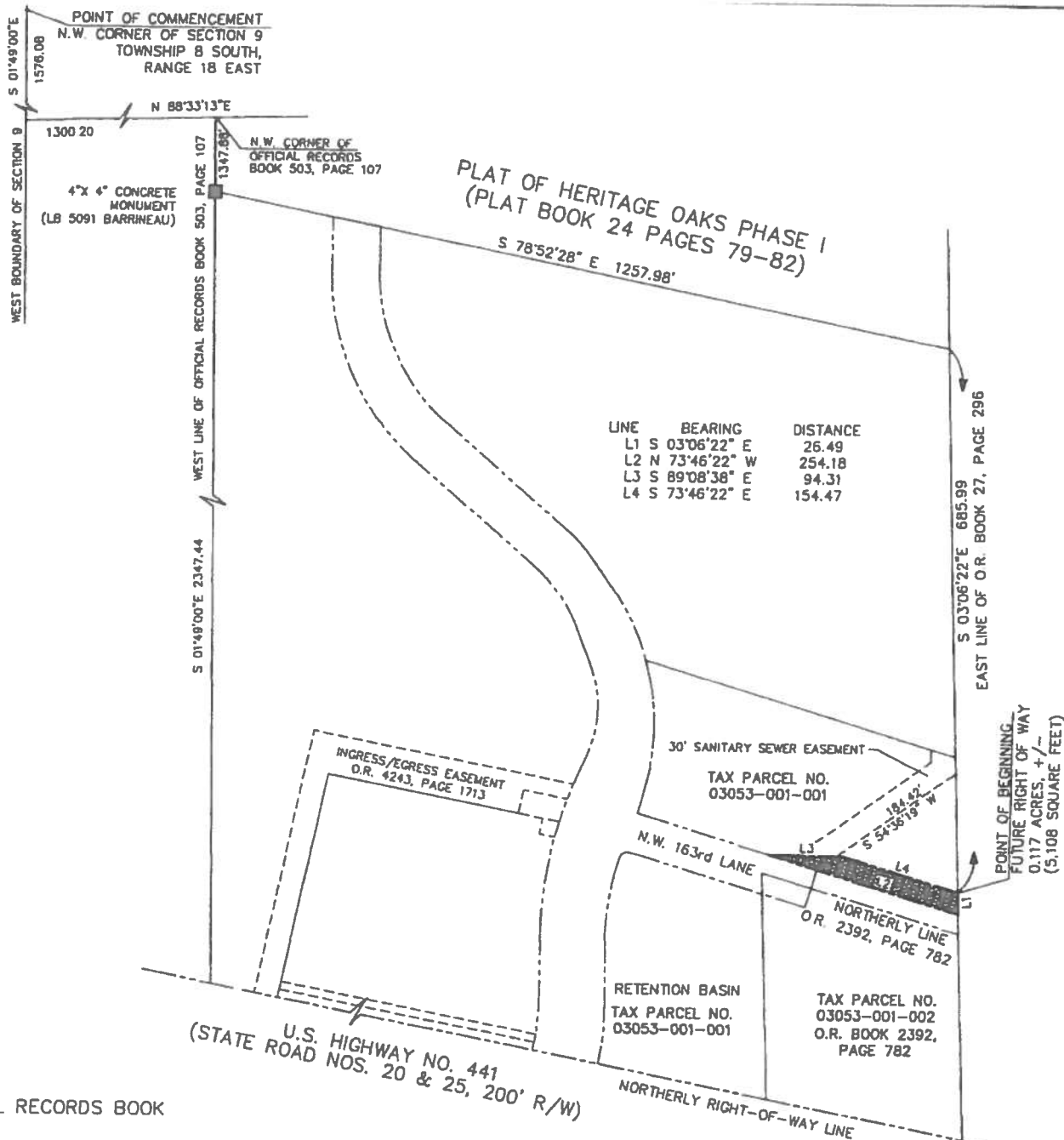
Legal Description

Future 163rd Lane R/W

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Containing 0.117 Acres (5,108 Square Feet), more or less.



ABBREVIATIONS

O.R. = OFFICIAL RECORDS BOOK

THIS IS NOT A BOUNDARY SURVEY

DRN.	B.G.	CHKD. B.G.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
			4/21/2017				

LEGAL DESCRIPTION SKETCH OF

A PORTION OF FRACTIONAL SECTION 9
TOWNSHIP 8 SOUTH, RANGE 18 EAST
ALACHUA COUNTY, FLORIDA
SANITARY SEWER EASEMENT

FOR: HIPP INVESTMENTS, LLC

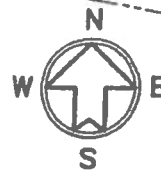
THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2016), FLORIDA STATUTES.

BY: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization
No. LB 2389

NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

SCALE: 1" = 200'



eda 40 years

eda engineers-surveyors-planners, inc.

LB 2389
2404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL (352) 373-3541 FAX (352) 373-7249
E-MAIL: mail@edafl.com

EXECUTION PAGE FOR HIPP

IN WITNESS WHEREOF HIPP has executed this instrument effective the day and year set forth below.

FOR HIPP:

Witness:

Alyssa Myers
Signature

Alyssa Myers
Printed Name

Hipp Investments, LLC, a Delaware Limited Liability Company

By:

Printed Name: Virginia H. Johns

As Its: Managing Member

Printed Name

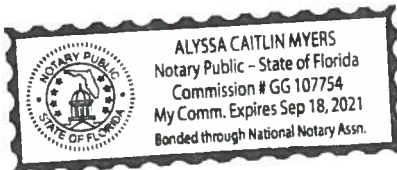
Gisele Arrandell
Signature

Gisele Arrandell
Printed Name

Date: 2-20-18

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 20th day of February, 20 18, by Virginia H. Johns the Managing Member of Hipp Investments, LLC, a Delaware Limited Liability Company, on behalf of the company, who is personally known to me or has produced his/her Driver's License as identification.



Alyssa Caitlin Myers
Notary Signature

Printed Name: Alyssa Caitlin Myers

My Commission Expires: Sept 18, 2021

EXECUTION PAGE FOR TALAL

IN WITNESS WHEREOF TALAL has executed this instrument effective
the day and year set forth below.

FOR TALAL:

Witness:

Talal Properties Limited, a Florida Limited
Partnership

X Mary H Cox
Signature

By: Talal Management, Inc., a Florida
Corporation, Its General Partner

Mary H Cox
Printed Name

By: X [Signature]
Tarek Kazbour, President

X [Signature]
Signature

Date: 2/22/18

Deborah Rose Tracy
Printed Name

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 26th day of
February, 20 18, by Tarek Kazbour as President of Talal Management, Inc., a
Florida Corporation, the General Partner of Talal Properties Limited, a Florida Limited
Partnership, who executed the same on behalf of the General Partner on behalf of the
partnership, who is personally known to me or who has produced his Florida Driver's
License as identification.



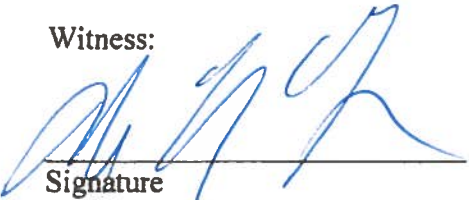
X [Signature]
Notary Signature
Printed Name: Deborah Rose Tracy
My Commission Expires: 8-13-19

EXECUTION PAGE FOR TAREK

IN WITNESS WHEREOF TAREK has executed this instrument effective
the day and year set forth below.

FOR TAREK:

Witness:


Signature

Tarek Properties Limited, a Florida
Limited Partnership

By: Tarek Management, Inc., a Florida
Corporation, Its General Partner

Deborah Rose Tracy
Printed Name

By: 
Tarek Kazbour, President

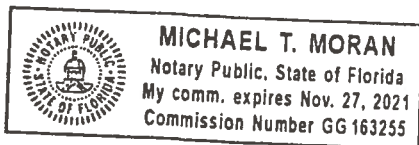

Signature


Date: 2-125/17

MICHAEL T. MORAN
Printed Name

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this 26 day of
FEBRUARY, 20 18, by Tarek Kazbour as President of Tarek Management, Inc., a
Florida Corporation, the General Partner of Tarek Properties Limited, a Florida Limited
Partnership, who executed the same on behalf of the General Partner on behalf of the
partnership, who is personally known to me or who has produced his Florida Driver's
License as identification.




Notary Signature
Printed Name: MICHAEL T. MORAN
My Commission Expires: NOV. 27, 2021

EXECUTION PAGE FOR ALACHUA A ONE

IN WITNESS WHEREOF A ONE has executed this instrument effective
the day and year set forth below.

FOR A ONE:

Witness:

Alachua A One, LLC, a Florida Limited
Liability Company

Brenda Cowart
Signature

Brenda Cowart
Printed Name

By: James McCauley
Printed Name: JAMES MCCAULEY
As Its: MANAGER

Darryl J. Tompkins
Signature

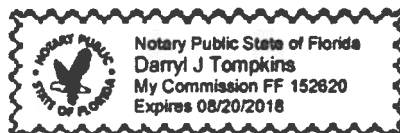
DARRYL J. TOMPKINS
Printed Name

Date: 2/21/2018

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this 21ST day of
February, 2018, by JAMES McCauley the Manager of Alachua
A One, LLC, a Florida Limited Liability Company, who executed the foregoing
instrument on behalf of the company and who is personally known to me that being
informed of the contents of the foregoing instrument he executed the same voluntarily or
who has produced his/her Driver's License as identification.

Darryl J. Tompkins
Notary Signature
Printed Name: DARRYL J. TOMPKINS
My Commission Expires: 8/20/2018



EXECUTION PAGE FOR PUBLIX

IN WITNESS WHEREOF PUBLIX has executed this instrument effective
the day and year set forth below.

FOR PUBLIX:

Witness:

Publix Super Markets, Inc., a Florida Corporation

Victoria Melton
Signature

Victoria Melton
Printed Name

By: William W. Rayburn, IV
Printed Name: William W. Rayburn, IV
As Its: Vice President of Real Estate Assets

Nesalie Igleso
Signature

Nesalie Igleso
Printed Name

Date: April 9, 2018

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this 9th day of April, 2018, by William W. Rayburn, IV the V.P. RE Assets of Publix Super Markets, Inc., a Florida Corporation, who executed the foregoing instrument on behalf of the corporation and who is personally known to me that being informed of the contents of the foregoing instrument he executed the same voluntarily or who has produced his/her Driver's License as identification.



PATRICIA COOLEY
MY COMMISSION # FF 114839
EXPIRES: August 20, 2018
Bonded Thru Budget Notary Services

[Signature]
Notary Signature
Printed Name: _____
My Commission Expires: _____

EXECUTION PAGE FOR MASON GRACE

IN WITNESS WHEREOF MASON GRACE has executed this instrument effective the day and year set forth below.

FOR MASON GRACE:

Witness:

A. Mason Grace Rentals, LLC, a Florida Limited Liability Company

Vanessa S Wood

Signature

Vanessa S Wood

Printed Name

By: [Signature]

Printed Name: Ronald Emerick

As Its: Authorized member

[Signature]

Signature

Sarah Barrett

Printed Name

Date: 3-8-18

STATE OF FLORIDA

COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 8th day of March, 20 18, by Ronald Emerick the Authorized member of A. Mason Grace Rentals, LLC, a Florida Limited Liability Company, who executed the foregoing instrument on behalf of the company and who is personally known to me that being informed of the contents of the foregoing instrument he executed the same voluntarily or who has produced his/her Driver's License as identification.



ANNE-MARIE DIROCCO
MY COMMISSION # FF 158308
EXPIRES: October 30, 2018
Bonded Thru Budget Notary Services

[Signature]

Notary Signature

Printed Name: Anne Marie DiRocco

My Commission Expires: 10-30-18

EXECUTION PAGE FOR ALACHUA 0716

IN WITNESS WHEREOF ALACHUA 0716 has executed this instrument effective the day and year set forth below.

FOR ALACHUA 0716:

Witness:

Alachua, FL 0716, LLC, a Florida Limited Liability Company

[Signature]
Signature

Michael P Holtz
Printed Name

By: [Signature]
Printed Name: Michael P Holtz
As Its: President MPT Hotels, Inc.
its Manager

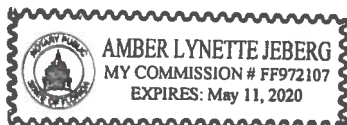
[Signature]
Signature

Randy Gibbons
Printed Name

Date: 3-1-18

STATE OF FLORIDA
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 1st day of March, 20 18, by Michael P Holtz the Manager of Alachua, FL 0716, LLC, a Florida Limited Liability Company, who executed the foregoing instrument on behalf of the company and who is personally known to me that being informed of the contents of the foregoing instrument he executed the same voluntarily or who has produced his/her Driver's License as identification.



[Signature]
Notary Signature
Printed Name: Amber Jeberg
My Commission Expires: 05/11/20

EXECUTION PAGE FOR FARM BUREAU

IN WITNESS WHEREOF FARM BUREAU has executed this instrument
effective the day and year set forth below.

FOR FARM BUREAU:

Witness:

Alachua County Farm Bureau, Inc., a Florida
Not For Profit Corporation

Peggi Justesen
Signature

Peggi Justesen
Printed Name

By: Winston Rushing
Printed Name: WINSTON RUSHING
As Its: Pres

Diane E Meyers
Signature

Diane E Meyers
Printed Name

Date: 2-27-18

STATE OF FLORIDA
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 27 day of
Feb, 20 18, by Winston Rushing the President of Alachua
County Farm Bureau, Inc. a Florida Not For Profit Corporation, who executed the
foregoing instrument on behalf of the corporation and who is personally known to me
that being informed of the contents of the foregoing instrument he executed the same
voluntarily or who has produced his/her Driver's License as identification.



Lora T Holt
Notary Signature
Printed Name: LORA T. Holt
My Commission Expires: 5-4-19

EXECUTION PAGE FOR VYSTAR

IN WITNESS WHEREOF VYSTAR has executed this instrument
effective the day and year set forth below.

FOR VYSTAR:

Witness:

Vystar Credit Union, a Credit Union Organized
Under Florida Law

[Signature]
Signature

Sean Meehan
Printed Name

By:

[Signature]
Printed Name: Brian J. Kitchens

As Its: Vice President, Purchasing Facilities

[Signature]
Signature

Abelardo Contreras
Printed Name

Date: 03/02/18

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 2 day of
March, 20 18, by Brian J. Kitchens the VP Purchasing Fac of Vystar
Credit Union, a Credit Union Organized Under Florida Law, who executed the foregoing
instrument on behalf of the credit union and who is personally known to me that being
informed of the contents of the foregoing instrument he executed the same voluntarily or
who has produced his/her Driver's License as identification.

[Signature]
Notary Signature
Printed Name: Daniel Hicks
My Commission Expires: 4-20-2021



EXECUTION PAGE FOR RACETRAC

IN WITNESS WHEREOF RACETRAC has executed this instrument
effective the day and year set forth below.

FOR RACETRAC:

Witness:

RaceTrac Petroleum, Inc., a Georgia Corporation

[Signature]
Signature

By: [Signature]
Printed Name: BRIAN THORNTON
As Its: VICE PRESIDENT

Jon Janssen
Printed Name

[Signature]
Signature

Date: 3/9/18

Jeffrey Baird
Printed Name

STATE OF GEORGIA
COUNTY OF Cobb

The foregoing instrument was acknowledged before me this 9th day of March, 2018, by Brian Thornton the Vice President of RaceTrac Petroleum, Inc., a Georgia Corporation, who executed the foregoing instrument on behalf of the corporation and who is personally known to me that being informed of the contents of the foregoing instrument he executed the same voluntarily or who has produced his/her Driver's License as identification.

[Signature]
Notary Signature
Printed Name: Sherri-Ann Clarke
My Commission Expires: August 7, 2020

