

**CERTIFICATE OF CONCURRENCY COMPLIANCE
FOR THE REPLAT OF LOT 2 OF THE QUAIL ROOST
ESTATES UNRECORDED SURVEY AS DESCRIBED IN O.R.
BOOK 3413 PAGE 1206**

This Certificate of Concurrency Compliance ("Certificate") is hereby issued to Brian and Heather Russell, ("Developers") by City of Alachua, Florida ("City") this 11th day of June, 2018.

RECITALS

WHEREAS, the DEVELOPERS are developing a residential subdivision in the CITY known as the Erickson's Way, which is a replat of Lot 2 of the Quail Roost Estates Unrecorded Survey as described in O.R. Book 3413 Page 1206 as recorded in the Public Records of County Clerk of Alachua County (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 – 1 ("RSF-1");

WHEREAS, the Project seeks the approval of a Final Plat which would permit up to three (3) additional dwelling units in addition to the one (1) dwelling unit that could be developed on the site without this plat;

**Development will be served by well and septic*

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 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 3 Peak Hour Trips on CR 2054 West (West of SR 235).
3. 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.
4. The City will reserve 5.48 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.
5. 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.

- 6. 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.
- 7. This Certificate of Concurrence 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 11th day of June, 2018, and is subject to the terms and findings as stated herein.

Attest:

CITY OF ALACHUA

Adam Boukari, City Manager

By: _____
Gib Coerper, Mayor

STATE OF FLORIDA
COUNTY OF ALACHUA

THE FOREGOING Certificate of Concurrence Compliance for the Replat of Lot 2 of the Quail Roost Estates Unrecorded Survey as described in O.R. Book 3413 Page 1206, also known as Erickson’s Way, was acknowledged before me this 11th day of June, 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

DEVELOPERS:

ON BEHALF OF BRIAN AND HEATHER RUSSELL:

Witnesses:

Debbie Wallen

Debbie Wallen
Print Name

R. Trautz

ROSA TRAUTZ
Print Name

By: [Signature]

Brian Russell - Owner
Print Name and Title

By: [Signature]

Heather Russell - owner
Print Name and Title

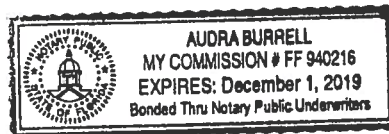
STATE OF FLORIDA
COUNTY OF Alachua

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 25 day of May, 2018, by Brian and Heather Russell who is personally known to me or who produced Florida Driver License as identification.

AUDRA BURRELL

Audra Burrell
Notary Public, State of Florida at large
Commission No.: FF940216

Expiration: 12/1/2019



[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION: (PER OFFICIAL RECORDS BOOK 3413, PAGE 1206)

A tract of land situated in Section 30, Township 8 South, Range 18 East, City of Alachua, Alachua County, Florida, said tract of land being known as Parcel No. 2 of an unrecorded subdivision prepared by William D Parrish, Registered Florida Land Surveyor No. 1772 and being more particularly described as follows:

Commence at a concrete monument being the Northwest corner of the aforementioned Section 30, Township 8 South, Range 18 East for the point of reference and run North 01°14'30" West, along the West line of Section 19, Township 8 South, Range 18 East, a distance of 125.21 feet to a railroad spike at the centerline of County Road N.W. 26; thence run North 89°46'00" East, along said centerline, a distance of 1794.98 feet; thence run South 01°20'21" East, a distance of 260.05 feet to an iron pipe and the True Point of Beginning; thence continue South 01°20'21" East, a distance of 300.06 feet to an iron pipe; thence run North 89°46'00" East, a distance of 754.21 feet to an iron pipe; thence run North 00°14'00" West, a distance of 300.00 feet to an iron pipe; thence run South 89°46'00" West, a distance of 760.00 feet to the True Point of Beginning.

TOGETHER WITH an easement for ingress, egress and public utilities over, under and across a 60 foot wide strip of land lying 30 feet of and on both sides of the following described centerline:

Commence at a concrete monument being the Northwest corner of Section 30, Township 8 South, Range 18 East for the point of reference and run North 01°14'30" West, along the West line of Section 19, Township 8 South, Range 18 East, a distance of 125.21 feet to a railroad spike at the centerline of County Road N.W. 26; thence run North 89°46'00" East, along said centerline, a distance of 1764.97 feet; thence run South 01°20'21" East, a distance of 40.01 feet to the Southerly right of way line of County Road N.W. 26 and the True Point of Beginning of said centerline, easement lines will be lengthened or shortened to begin on said right of way line; thence continue South 01°20'21" East, a distance of 1952.31 feet to the point of curvature of a curve concave Northeasterly, said curve having a radius of 130.00 feet; thence run Southeasterly, along said curve, through an arc angle of 88°53'39", an arc distance of 201.69 feet to the point of tangency of said curve (chord bearing and distance of South 45°47'10" East, 182.07 feet, respectively); thence run North 89°46'00" East, a distance of 1266.58 feet to the point of curvature of a curve concave Northwesterly, said curve having a radius of 130.00 feet; thence run Northeasterly, along said curve, through an arc angle of 90°00'00" an arc distance of 204.20 feet to the point of tangency of said curve (chord bearing and distance of North 44°46'00" East, 183.85 feet, respectively); thence run North 00°14'00" West, a distance of 1950.00 feet to said Southerly right of way line of County Road N.W. 26 and the terminus of said centerline, easement lines will be lengthened or shortened to terminate on said Southerly right of way line

BEING ALSO DESCRIBED AS:

A portion of Section 30, Township 8 South, Range 18 East, City of Alachua, Alachua County, Florida; being more particularly described as follows:

Begin at a 4"x4" concrete monument (PRM LB 2389) at the northwest corner of Lot 4 of 'Alexander Court A Re-Plat of Parcel 1 of Quail Roost Estates, Unrecorded Subdivision', as per plat thereof, recorded in Plat Book 28, page 42 of the Public Records of Alachua County, Florida, and the northeast corner of that certain parcel of land as described in Official Records Book 3413, page 1206 of said Public Records, and run thence South 00°59'42" East, 299.99 feet to a 4"x4" concrete monument (PRM LB 2389) at the southwest corner of said Lot 4 and the southeast corner of said certain parcel of land; thence South 89°00'12" West, 754.35 feet to the southwest corner of said certain parcel of land and to a point of the east right-of-way line of N.W. 197th Terrace (60' Right-of-Way); thence North 02°06'06" West, along said east right-of-way line, 299.95 feet to the northwest corner of said certain parcel of land and to the southwest corner of Lot 44 of 'Quail Roost Unit 2', a subdivision as per plat thereof, recorded in Plat Book "N", page 22 of said Public Records; thence North 88°59'46" East, along the southerly boundary of said 'Quail Roost Unit 2', a distance of 760.14 feet to the Point of Beginning.

Containing 5.21 acres, more or less.