



# Planning and Historic Preservation Board Regular Meeting Agenda

Tuesday, April 22, 2025 at 7:00 PM

706 NE Chokolka BLVD

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## CALL TO ORDER

## INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG

## ROLL CALL

## CONSENT AGENDA

1. Agenda Approval
2. Regular Meeting Minutes of March 25, 2025

## CITIZEN'S FORUM

Public Comment (public comments limited to 2 minutes per speaker, please)

3.

## PUBLIC HEARINGS

4. Certificate of Appropriateness - Gate  
Location: 112 NE Chokolka Blvd, Micanopy, FL 32667  
Applicant: Britt Russo  
Owner: Michael Brisky
5. Micanopy Library Property - Proposed Replat Application  
Parcel #: 16672-001-000, 200 block of US Hwy 441, Micanopy  
Application Attached.

## NEW BUSINESS

## UNFINISHED BUSINESS

## BOARD MEMBER COMMENTS

6. Troy Blakely (Seat 1)
7. Mike Davis (Seat 2)
8. Sandy Tyson (Seat 3)
9. Stephen Elder (Seat 5)

## CHAIR FRO WARREN (SEAT 4) REPORT

## **ADJOURN**

PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN TOWN MEETINGS SHOULD CONTACT THE TOWN ADMINISTRATOR, 706 NE CHOLOKKA BLVD., MICANOPY, FLORIDA 32667-0137, TELEPHONE (352) 466-3121.



# Planning and Historic Preservation Board Regular Meeting Minutes

Tuesday, March 25, 2025 at 7:00 PM

706 NE Cholokka BLVD

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## CALL TO ORDER

Chair Fro Warren called the meeting to order 7:02 pm

## INVOCATION AND PLEDGE OF ALLEGIANCE TO FLAG

## ROLL CALL

Chair Fro Warren, present

Vice Chair Stephen Elder, present

Troy Blakely, present

Mike Davis, present

Sandra Tyson, absent with notice

Town Attorney A. Derek Folds, present

Town Administrator Sara Owen, absent with notice

Deputy Town Clerk Patty Polk, present

## CONSENT AGENDA

Motion made and seconded (Blakely/Elder) to accept the consent agenda as submitted; passed 4-0

1. Agenda Approval
2. Regular Meeting Minutes of February 25, 2025

## CITIZEN'S FORUM

Public Comment (public comments limited to 2 minutes per speaker, please)

## PUBLIC HEARINGS

3. Resolution 2025-02 - Amendment Micanopy Comprehensive Plan

Chair Warren opened the public hearing.

1. The Board shall determine whether it has jurisdiction over the matter. - Yes
2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None

3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A Derek Folds swore in the witnesses: Bud Des Forges and Stoney Slaton.

4. Introduction of the Petition by the Town. Attorney Derek Folds explained the Resolution 2025-02 as submitted and read on short title.

5. Presentation of Applicant's Case. None

6. Presentation of Staff's Case. Recommendation to approve as submitted.

7. Presentation of Affected Party's Case. None

8. Rebuttal by Affected Parties. None

9. Rebuttal by Staff. None

10. Rebuttal by Affected Parties. None

11. Public Input.

Bud Des Forges stated that its great and protects our boarders. It was a hard fought battle and we can preserve it. Stoney Slaton agrees.

12. Deliberation and Vote of Board or Commission. Discussion ensued.

Motion made and seconded (Blakely/Elder) to approve Resolution 2025-02 as read on short title; passed 4-0

13. Preparation of Final Order. Resolution 2025-02 will be signed.

14. Approval of Final Order. Resolution 2025-02 will be signed.

4. Resolution 2025-03

Chair Warren opened the public hearing.

1. The Board shall determine whether it has jurisdiction over the matter. - Yes

2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None

3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A Derek Folds swore in the witnesses: Bud Des Forges and Stoney Slaton.

4. Introduction of the Petition by the Town. Attorney Derek Folds explained the Resolution 2025-03 as submitted and read on short title.

5. Presentation of Applicant's Case. None

6. Presentation of Staff's Case. Recommendation to approve as submitted.

7. Presentation of Affected Party's Case. None

8. Rebuttal by Affected Parties. None

9. Rebuttal by Staff. None

10. Rebuttal by Affected Parties. None

11. Public Input.

Stoney Slaton is glad we are going to make this happen.

12. Deliberation and Vote of Board or Commission. Discussion ensued.

Motion made and seconded (Blakely/Elder) to approve Resolution 2025-03 as read on short title; passed 4-0

13. Preparation of Final Order. Prepared in office. Resolution 2025-03 will be signed.

14. Approval of Final Order. Resolution 2025-03 will be signed.

5. Certificate of Appropriateness - Beardslee Handicap Ramp

Chair Warren opened the public hearing.

1. The Board shall determine whether it has jurisdiction over the matter. - Yes

2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None

3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A Derek Folds swore in the witnesses: None

4. Introduction of the Petition by the Town. Chair Warren read the application as submitted.

5. Presentation of Applicant's Case. Applicant unavailable.

6. Presentation of Staff's Case. Recommendation to approve as submitted.

7. Presentation of Affected Party's Case. None

8. Rebuttal by Affected Parties. None

9. Rebuttal by Staff. None

10. Rebuttal by Affected Parties. None

11. Public Input. None

12. Deliberation and Vote of Board or Commission. Discussion ensued.

Motion made and seconded (Elder/Davis) to approve the certificate of appropriateness as submitted with landscaping preferred above painting.

Amend above motion to include solid paint colors of white, green, or something that blends in; passed 4-0

13. Preparation of Final Order. Prepared in office.

14. Approval of Final Order. Prepared in office.

6. Certificate of Appropriateness - Russo HVAC & Gate

Chair Warren opened the public hearing.

1. The Board shall determine whether it has jurisdiction over the matter. - Yes
2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None
3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A Derek Folds swore in the witnesses: Bud Des Forges and Britt "Ava" Russo.

4. Introduction of the Petition by the Town. Chair Warren read the application as submitted.
5. Presentation of Applicant's Case. Ms. Russo explained the need for HVAC and has removed the gate from the application.
6. Presentation of Staff's Case. Recommendation to approve as submitted.
7. Presentation of Affected Party's Case. None
8. Rebuttal by Affected Parties. None
9. Rebuttal by Staff. None
10. Rebuttal by Affected Parties. None
11. Public Input.

Stoney Slaton is glad we are going to make this happen.

12. Deliberation and Vote of Board or Commission. Discussion ensued.

Motion made and seconded (Blakely/Davis) to approve certificate of appropriateness as amended, removing gate from application; passed 4-0

13. Preparation of Final Order. Prepared in the office. Paperwork in office.
14. Approval of Final Order. Paperwork in office for signatures.

7. The Pfaffly Group LLC - Certificate of Appropriateness (Business Sign)

Chair Warren opened the public hearing.

1. The Board shall determine whether it has jurisdiction over the matter. - Yes
2. Members of the Board shall, if necessary, state whether they have a conflict of interest or must otherwise disqualify themselves from hearing the case. None
3. Members of the Board shall disclose and place on the record any ex parte contacts relating to the matter before the Board. None

Attorney A Derek Folds swore in the witnesses: Bud Des Forges, Jason, and Mallory Pfaffly.

4. Introduction of the Petition by the Town. Chair Warren read the application as submitted.
5. Presentation of Applicant's Case. Jason and Mallory Pfaffly explained their desire to open a doctor office in Micanopy.

6. Presentation of Staff's Case. Recommendation to approve as submitted.
7. Presentation of Affected Party's Case. None
8. Rebuttal by Affected Parties. None
9. Rebuttal by Staff. None
10. Rebuttal by Affected Parties. None
11. Public Input.

Bud DesForges questioned where the sign would be placed. The answer is on the brick wall to the left of the office door.

12. Deliberation and Vote of Board or Commission. Discussion ensued.

Motion made and seconded (Elder/Blakely) to approve certificate of appropriateness as submitted; passed 4-0

13. Preparation of Final Order. Prepared in the office. Paperwork in the office.
14. Approval of Final Order. Paperwork in the office for signatures.

#### **NEW BUSINESS**

None

#### **UNFINISHED BUSINESS**

None

#### **BOARD MEMBER COMMENTS**

8. Troy Blakely (Seat 1)

Board member Blakely stated that spring is in the air.

9. Mike Davis (Seat 2)

10. Sandy Tyson (Seat 3)

Absent with notice.

11. Stephen Elder (Seat 5)

Board member Elder apologized for missing the last meeting.

#### **CHAIR FRO WARREN (SEAT 4) REPORT**

Chair Warren thanked everyone for joining us tonight.

#### **ADJOURN**

PLEASE NOTE: PURSUANT TO SECTION 286.015, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMODATIONS TO PARTICIPATE IN

TOWN MEETINGS SHOULD CONTACT THE TOWN ADMINISTRATOR, 706 NE CHOLOKKA BLVD., MICANOPY, FLORIDA 32667-0137, TELEPHONE (352) 466-3121.

Chair Warren adjourned the meeting 7:27 pm



Town of \_\_\_\_\_  
**Micanopy**  
Florida

**Application for Land Use Approval**

Date: April 10, 2025

Application Number: 20250410 - A

**Requested Approval**

Certificate of Appropriateness

Lot Split

Variance

Rezoning

Site Plan Review

Sign

Fence

Other

Property Owner Name: Michael O. Brisky

Property Owner Mailing Address: Bahnhofstr. 28 Eslingen / Stuttgart D - 73728, Germany

Applicant (if other than property owner): Britt Russo

Applicant Mailing Address: 504 NW Church Ave.

Owner/Applicant Telephone: 914 483 2382

Email: awabritt@gmail.com

Property Tax Parcel Number: 16696-000-000

Current Zoning: C-1

Property Street Address: 112 NE CHOLOKA Blvd. # C

Requested/Proposed Action: Installation of new security gate at rear of brick alley.

Reason/Justification for this Application: The reason for the new gate is to secure the alley and entrance.

Included With this Application:  Survey  Site Plan  Floor Plan  
 Elevation Drawings  Construction Drawings  Project Photos  
 Other: 2 photos 1) photo of alley, 2) photo of new security gate

Fee Amount: \$ 50.- Date Paid: 4/10/2025  
 Cash  Check: Date \_\_\_\_\_ Number \_\_\_\_\_

The undersigned property Owner/Applicant understands that this Application becomes a part of the permanent records of the Town of Micanopy; that the information and statements provided herein and documentation provided herewith are correct and true to the best of the undersigned's knowledge and belief, and all such information/documentation is public record; and that any work or other action associated with the approval granted must commence within one year of the date of the issuance of such approval.

Signature of Owner/Applicant: [Signature]  
Signature Owner/Applicant  
4/10/2025  
Date

### Town of Micanopy

Approval  Conditional Approval  Denied

Comments and/or Conditions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Planning & Historic Preservation Board: Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature Printed Name & Title

Town of Micanopy: Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature Printed Name & Title



**ALL COUNTY®**  
University Property Management

04/17/2025

To Whom This May Concern,

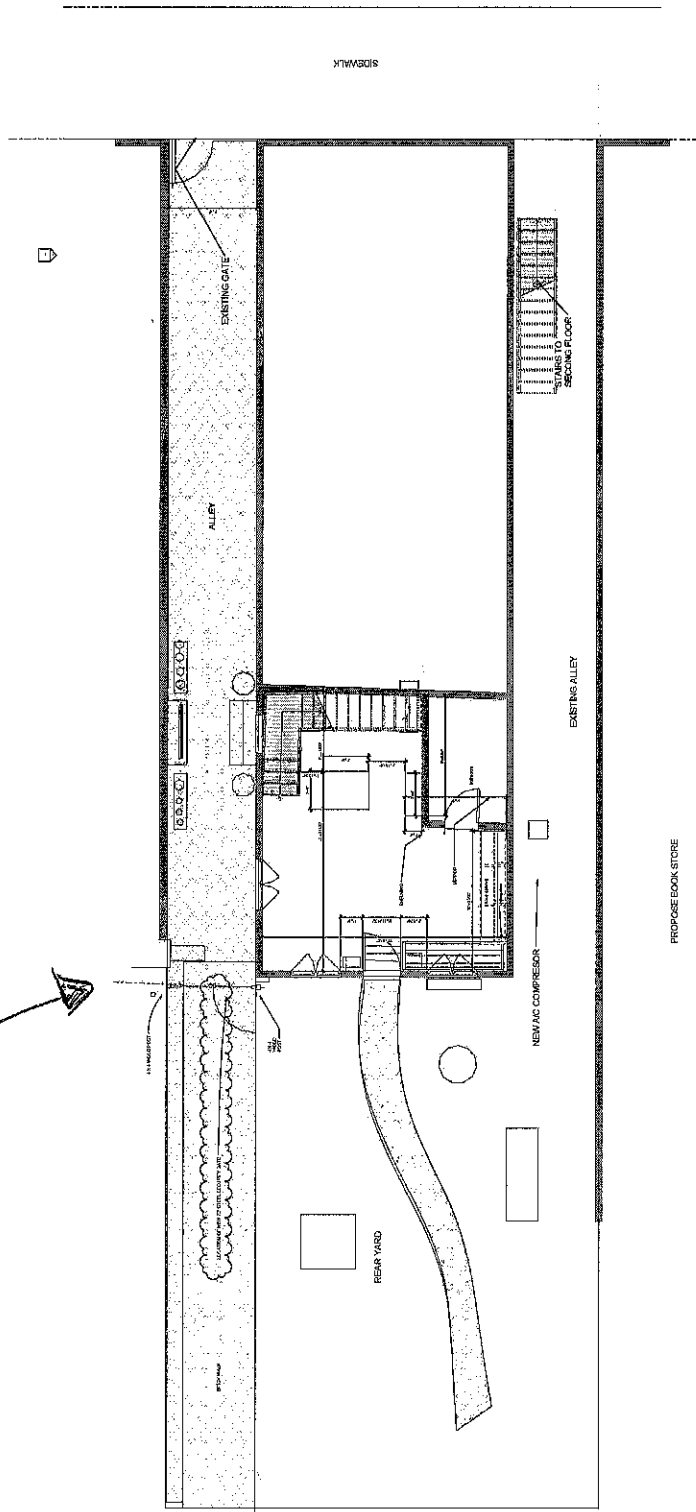
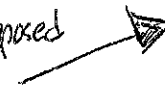
All County University Property Management has approved the Lessee to install a fence gate in the alleyway between 112 NE 1<sup>st</sup> ST and 114 Ne 1<sup>st</sup> ST to keep merchandise secure. Without causing any damage to the historic materials and without being permanently connected to the buildings per the drawing plans. Lesse agrees to provide any commercial tenants with a set of keys if requested to allow them access to the dumpster or mailboxes.

Best Regards,

All County University

Agent for Owner

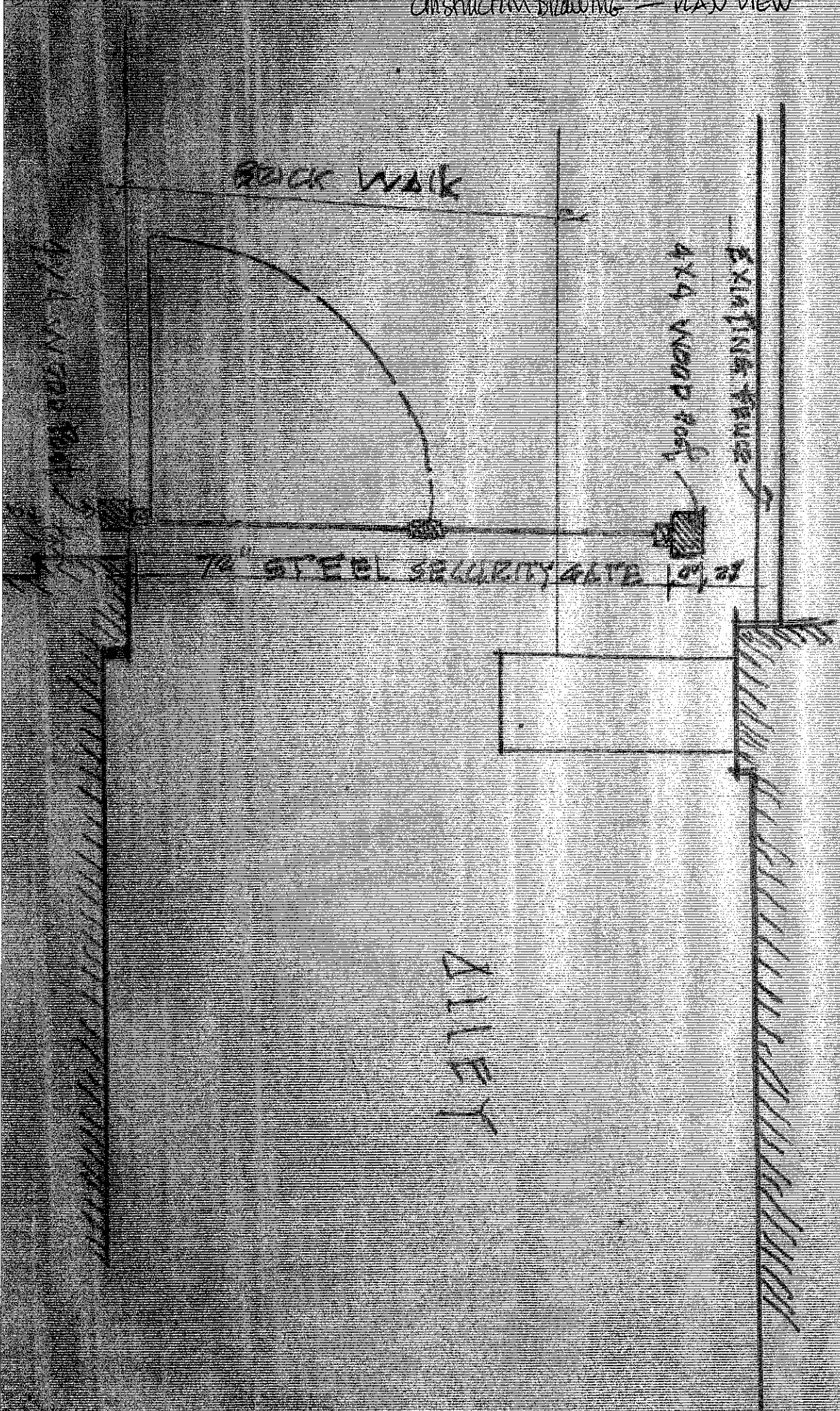
location of proposed new gate



Item # 4.



Item # 4.

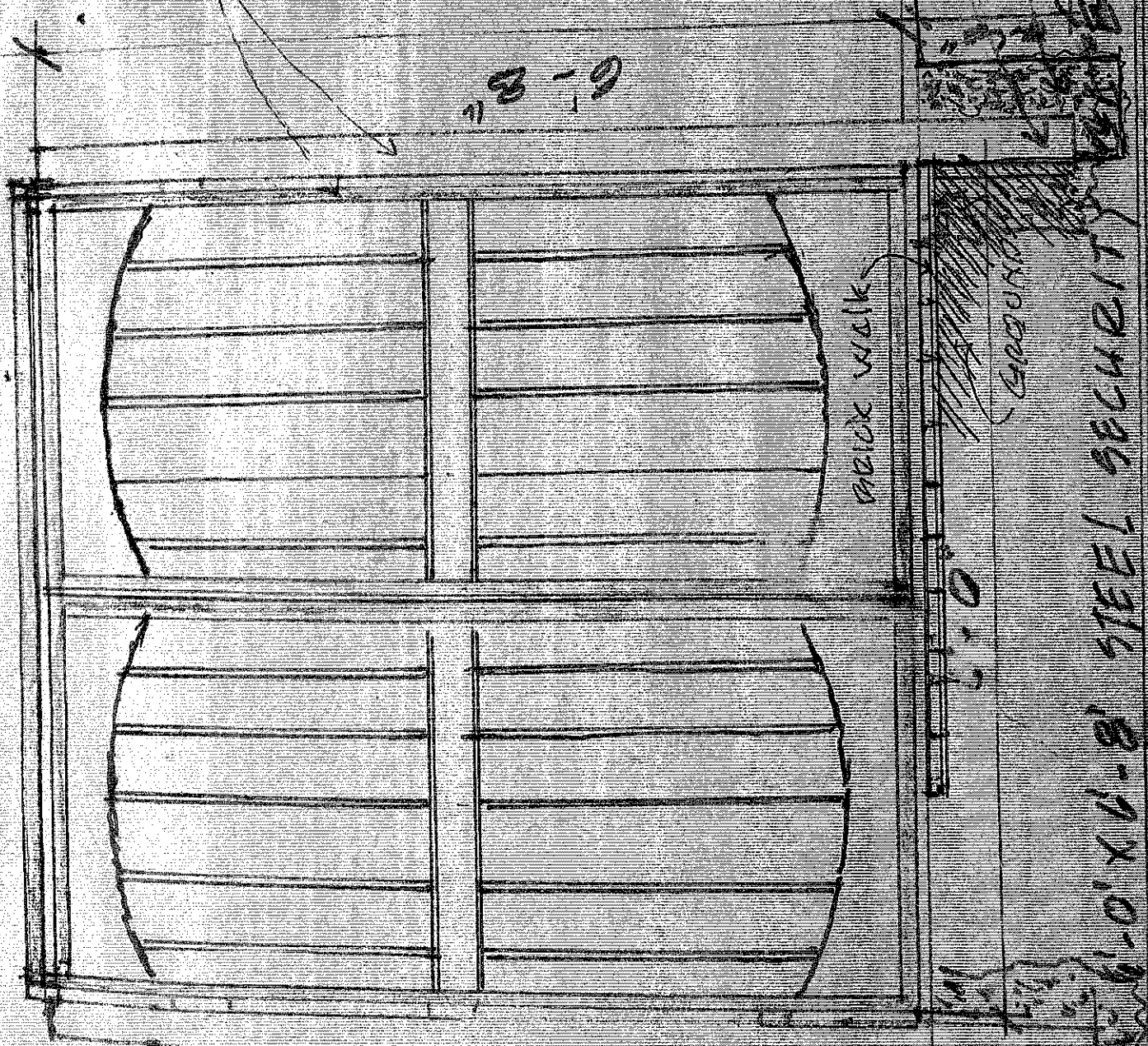


Enit Russo

CONSTRUCTION DRAWING - SECTION

112-NE Amsterdam #C

Item # 4.



ANCHOR TO WOOD FLOOR

6'-8"

BRICK WALL

CONCRETE

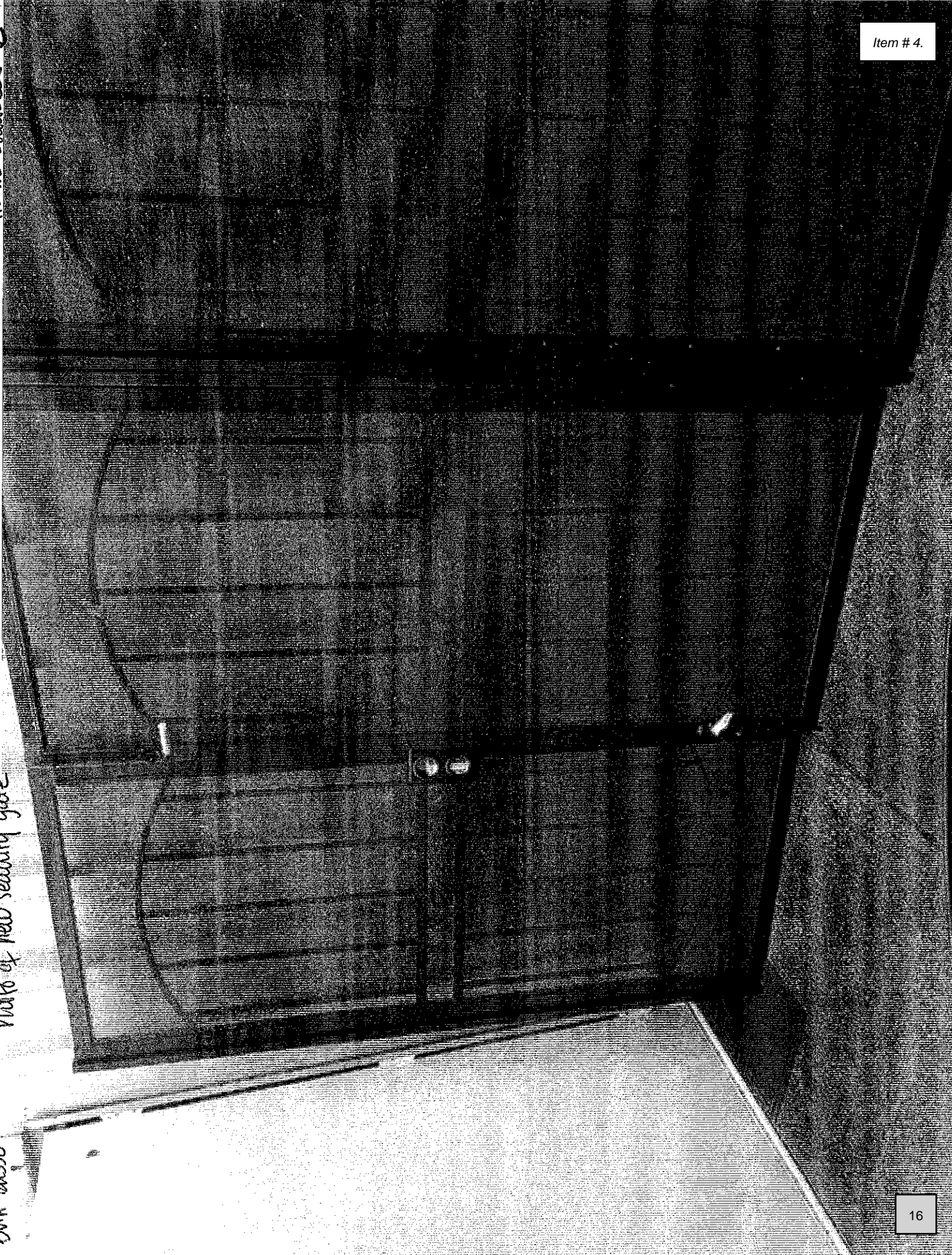
ANCHOR IN CONCRETE

6" X 10" STEEL

112 NE Casslake St

Photo of new security gate

Britt Russo





April 4, 2025

Town of Micanopy  
Attn: Sara Samario, Town Manager  
706 NE Chokolka Blvd.  
Micanopy, FL 32667

**Re: Micanopy Library Property – Proposed Replat Application**

Ms. Samario:

Please accept this letter as part of a Replat application related to parcel number 16672-001-000 located at the 200 block of US Highway 441. This property, now owned by the Alachua County Library District, is currently located on Lots 53 & 54 of the underlying subdivision entitled "Map of Stoughton Property", Deed Book "O", Page 433. The proposed replat will combine the two platted lots into one lot, which according to the Town, is required prior to approval of a Site Plan related to the development of the property as an Alachua County Library Branch. The replat drawing also includes the required building setbacks, per the C-2 zoning district.

Included with this letter is all the supporting information required for the replat application.

If you have any questions, please feel free to contact our office at any time.

Sincerely,

A handwritten signature in blue ink that reads 'Clay Sweger'.

Clay Sweger, AICP, LEED AP  
Director of Planning



Town of \_\_\_\_\_  
**Micanopy**  
Florida

**Application for Land Use Approval**

Date: April 4, 2025

Application Number: \_\_\_\_\_

**Requested Approval**

Certificate of Appropriateness  Lot Split  Variance  Re-Zoning

Site Plan Review  Sign  Fence  Tree Removal  Other  Replat

Property Owner Name: Alachua County Library District

Property Owner Mailing Address: 401 E. University Avenue, Gainesville, FL 32601

Applicant (if other than property owner): eda consultants, inc.

Applicant Mailing Address: 720 SW 2nd Avenue, South Tower, Ste. 300, Gainesville, FL 32601

Owner/Applicant Telephone: (352) 373-3541 Email csweger@edafl.com

Property Tax Parcel Number: 16672-001-000 Current Zoning: C-2

Property Street Address: 200 block of US Highway 441

Requested/Proposed Action: A proposed replat to combine Lots 53 & 54 of the underlying subdivision entitled "Map of Stoughton Property", Deed Book "O", Page 433. This replat will allow the property to be developed as an Alachua County Library Branch.

Reason/Justification for this Application: Town LDR requirement to replat property to combine previously platted lots.

Included With this Application:  Survey  Site Plan  Floor Plan  
 Elevation Drawings  Construction Drawings  Project Photos  
 Other: Replat drawing and supporting application materials.

Fee Amount: \$ 100.00 Date Paid: 4/7/25  
 Cash  Check: Date 4/4/25 Number 4984

The undersigned property Owner/Applicant understands that this Application becomes a part of the permanent records of the Town of Micanopy; that the information and statements provided herein and documentation provided herewith are correct and true to the best of the undersigned's knowledge and belief, and all such information/documentation is public record; and that any work or other action associated with the approval granted must commence within one year of the date of the issuance of such approval.

Signature of Owner/Applicant:   
Signature of Owner/Applicant  
April 4, 2025  
Date

**Town of Micanopy**

Approval  Conditional Approval  Denied

Comments and/or Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Planning & Historic Preservation Board:

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name & Title

Town of Micanopy:

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name & Title

### PROPERTY OWNER AFFIDAVIT

|  |  |                           |             |
|--|--|---------------------------|-------------|
| Owner Name: Alachua County Library District                            |  |                           |             |
| Address: 401 E. University Ave.<br>Gainesville, FL 32601               |  | Phone: 352-334-3915       |             |
|  |  | E-mail: kplumley@aclib.us |             |
| Agent Name: eda consultants, inc.                                      |  |                           |             |
| Address: 720 SW 2nd Ave, South Tower, Ste 300<br>Gainesville, FL 32601 |  | Phone: 352-373-3541       |             |
|  |  | E-mail: cvega@edafl.com   |             |
| Parcel No.: 16672-000-001  |  |                           |             |
| Acreage: 1.06 (+/-)  |  | S: 26                     | T: 11 R: 20 |
| Requested Action: Replat & Site Plan                                   |  |                           |             |

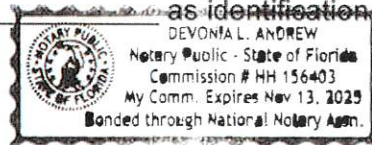
I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature: Shaney T. Livingston

Printed name: Shaney T. Livingston

Date: 3/27/25

The foregoing affidavit is acknowledged before me, by means of  physical presence or  online notarization, this 27th day of March, 2025, by Shaney T. Livingston, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.



NOTARY SEAL \_\_\_\_\_

Signature of Notary Public, State of Devonía L. Andrew

### Storm / Calamity Damage Form

[Storm / Calamity Damage Form](#)

If you have experienced storm damage to your house, building or other structure we need to know about it.

[Sign up for Title Alert](#)

### Working in Progress Parcel

THIS PARCEL IS FOR THE 2025 TAX YEAR

#### Parcel Summary

**Parcel ID** 16672-001-000  
**Prop ID** 510500  
**Location Address**  
**Neighborhood/Area**  
**Subdivision**  
**Legal Description** (Note: \*The Description above is not to be used on legal documents.)  
**Property Use Code**  
**Sec./Twp/Rng**  
**Tax Area**  
**Acres**  
**Homesteaded** False



[View Map](#)

### Millage Rate Value

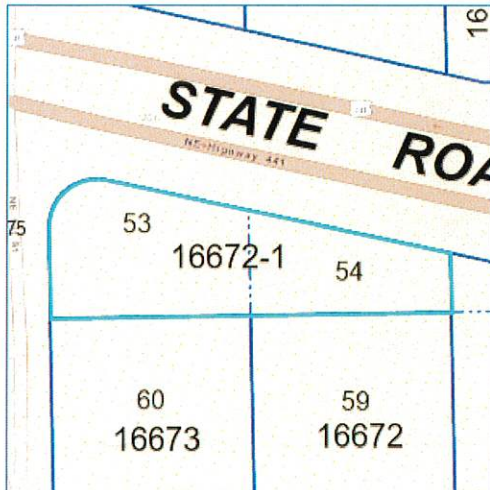
Millage Rate:

#### Sales

| Sale Date | Sale Price | Instrument | Book | Page | Qualification   | Vacant/Improved | Grantor                        | Grantee                        | Link to Official Records     |
|-----------|------------|------------|------|------|-----------------|-----------------|--------------------------------|--------------------------------|------------------------------|
| 2/28/2025 | \$150,000  | SD         | 5201 | 2477 | Qualified (Q)   | Vacant          | SOUTH MOON UNDER LLC           | ALACHUA COUNTY LIBRARY DISTRIC | <a href="#">Link (Clerk)</a> |
| 10/3/2005 | \$185,000  | MS         | 3231 | 151  | Unqualified (U) | Vacant          | * FLORENCE L VAN ARNAM INDV/TR | SOUTH MOON UNDER LLC           | <a href="#">Link (Clerk)</a> |
| 11/9/2004 | \$100      | OD         | 3024 | 501  | Unqualified (U) | Vacant          | * CARLTONE E VAN ARNAM HIS 1/2 | * FLORENCE L VAN ARNAM INDV/TR | <a href="#">Link (Clerk)</a> |
| 5/1/1985  | \$35,000   | WD         | 1592 | 15   | Unqualified (U) | Improved        |                                | * CARLTONE E VAN ARNAM HIS 1/2 | <a href="#">Link (Clerk)</a> |
| 6/1/1983  | \$100      | QD         | 1491 | 106  | Unqualified (U) | Vacant          |                                | * UNASSIGNED                   | <a href="#">Link (Clerk)</a> |
| 4/1/1978  | \$2,500    | WD         | 112  | 73   | Unqualified (U) | Improved        |                                | * UNASSIGNED                   |                              |

Official Public Records information is provided by the Alachua County Clerk's Office. Clicking on these links will direct you to their web site displaying the document details for this specific transaction.

Map



No data available for the following modules: Owner Information, Valuation, TRIM Notice, Land Information, Building Information, Sub Area, Extra Features, Area Sales Report, Permits, Sketches, Photos.

This web application and the data herein is prepared for the inventory of real property found within Alachua County and is compiled from recorded deeds, plats, and other public records and data. Users of this web application and the data herein are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information. Alachua County Property Appraisers Office assumes no legal responsibility for the information contained herein.

[User Privacy Policy](#) [GDPR Privacy Notice](#)  
Last Data Upload: 3/24/2025, 1:19:54 PM

Contact Us



RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 3609526 7 PG(S)

3/3/2025 12:46 PM  
BOOK 5201 PAGE 2477  
J.K. JESS IRBY, ESQ.--Clerk  
Clerk of the Court, Alachua County, Florida  
ERECORDED Receipt# 1252595  
Doc Stamp-Mort: \$0.00  
Doc Stamp-Deed: \$1,050.00  
Intang. Tax: \$0.00

Consideration: \$150,000.00

This instrument prepared by:  
David E. Menet, Esq.  
Salter Feiber, P.A.  
3940 NW 16th Boulevard, Bldg. B  
Gainesville, FL 32605  
(352) 376-8201  
File Number: 24-0815.7VS

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED was made on 20<sup>th</sup> day of February, 2025 by **South Moon Under, LLC, a Florida limited liability company**, whose post office address is 189 E Ridge Rd, Islamorada, FL 33036 ("Grantor") to **Alachua County Library District, an independent taxing district of the state of Florida**, whose post office address is 401 E. University Ave., Gainesville, FL 32601 ("Grantee").

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and no/100s (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, sell, alien, remise, convey and confirm unto the Grantee all of that certain land situated in Alachua County, Florida, to wit (the "Property"):

**See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.**

**Tax Parcel #: 16672-000-000, a portion**

RESERVATION OF EASEMENT: Attached hereto and incorporated herein as **Exhibit "B"** is a reservation of an easement in favor of Grantor over the Property.

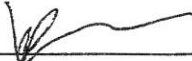
SUBJECT to easements and restrictions of record and to taxes for 2025 and all subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


TO HAVE AND TO HOLD, the same in fee simple forever.

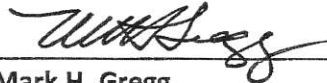
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantors.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal the day and year first above written.

  
\_\_\_\_\_  
Witness  
Print: **Vanessa Stevens**  
Address: 3940 NW 16<sup>th</sup> Blvd. Bldg. B.  
Gainesville, FL 32605

**South Moon Under, LLC,**  
a Florida limited liability company

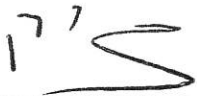
  
\_\_\_\_\_  
Witness  
Print: **David E. Menet**  
Address: 3940 NW 16<sup>th</sup> Blvd. Bldg. B.  
Gainesville, FL 32605

By:   
\_\_\_\_\_  
**Mark H. Gregg**  
as its Manager

State of Florida  
County of Alachua

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20 day of February, 2025 by **Mark H. Gregg**, as Manager of **South Moon Under, LLC**, a Florida limited liability company, on behalf of said company. Said person  is personally known or  has produced a driver's license as identification.

[Seal]

  
\_\_\_\_\_  
Notary Public **David E. Menet**  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**DAVID E. MENET**  
Commission # HH 198750  
Expires January 20, 2026

## Exhibit A

**TPN: 16672-000-000 (a portion of)**

LOTS FIFTY-THREE AND FIFTY-FOUR (53 AND 54), ACCORDING TO THE MAP OF STOUGHTON PROPERTY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DEED BOOK O, PAGE 433, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, ALSO AS SHOWN IN THE PLAN OF THE TOWN OF MICANOPY, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK A, PAGE 31, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA LESS AND EXCEPT ROAD RIGHT OF WAY FOR STATE ROAD 25.



**EXHIBIT "B"**  
**Reservation of Easement**

1. RECITALS. Grantor owns the property described in that certain deed dated October 3, 2005 and recorded on October 4, 2005 at O.R. Book 3231, Page 151, Public Records of Alachua County, Florida, known as tax parcel numbers 16672-000-000, a portion, and 16668-000-000, a portion of which is described as follows (the "Dominant Estate"):

Lots Fifty-Five, Fifty-Six, Fifty-Seven, and Fifty-Eight (55, 56, 57, and 58), STOUGHTON ADDITION to the Town of Micanopy, according to the map or plat thereof as recorded in Plat Book A, Page 31, Public Records of Alachua County, Florida;

Less and except the SE 1/4 of Lot 57; and

Less and Except road right of way for State Road 25.

AND

Lot Fifty-Nine (59), BARNET AND KNOX ADDITION to the Town of Micanopy, according to the map or plat thereof as recorded in Deed Book O, Page 433, Public Records of Alachua County, Florida. Also described as Lot 59, STOUGHTON'S ADDITION to Micanopy, according to the plat thereof recorded in Plat Book A, Page 31, Public Records of Alachua County, Florida.

2. RESERVATION The Grantor conveys to Grantee the Property described above in Exhibit "A" subject to and reserving unto said Grantor for the benefit of the Dominant Estate a perpetual, non-exclusive easement for ingress, egress, and public utilities in, on, over, under, upon, and across a portion of the Property described as follows (the "Easement Area"):

**THE SOUTH THIRTY (30) FEET OF THE PROPERTY DESCRIBED IN EXHIBIT "A", LESS AND EXCEPT THE NORTH FIFTEEN (15) FEET OF THE EAST NINETY (90) FEET THEREOF.**

**A Sketch of the Easement Area is attached hereto as Schedule B-2.**

3. TERMS AND CONDITIONS

3.1 **Ingress and Egress.** Grantor reserves the right to use and enjoy the Easement Area for ingress and egress to the public roadway known as NE 1<sup>st</sup> Street (Cholokka Boulevard). Either Grantor or Grantee may install traffic calming devices (such as "speed bumps" or "speed tables") upon the road right of way located within the Easement Area with the written approval of the other party, which approval will not be unreasonably withheld, conditioned, or delayed.

- 3.2 Grantor's Utility Use.** Grantor's use of the Easement Area for utility purposes is limited to the right to construct, install, repair, maintain, replace, expand, and improve public utility or service lines, pipes, wires, and related equipment and components for any public utility or service required or deemed necessary by Grantor, such public utility or service to include without limitation electric power, telephone, internet, broadband, communication, wastewater, drainage, stormwater, and potable water (the "Utility Use"). The Utility Use will not materially interfere with Grantee's use of the Property or Easement Area for any purpose. All Utility Use will be made at Grantor's sole cost and expense, and Grantor will save and hold harmless the Grantee from and against any and all expenses, liens, claims, or damages to either property or person which arises out of any Utility Use work. All Utility Use work will be performed in a good and workmanlike manner; by licensed, bonded, and fully insured professionals; in full compliance with any plans and specifications previously approved by Grantee ; and in compliance with all applicable governmental rules or regulations.
- 3.3 Signage.** Following written consent by the Grantee approving size, location, and design elements, which approval will not be unreasonably withheld, conditioned, or delayed, Grantor may, at Grantor's sole cost and expense, install and maintain an informational sign indicating the names and street addresses of any owner or tenant of the Dominant Estate that may use the Easement Area.
- 3.4 Prohibited Uses; Increase in Scope of Use.** The Easement Area shall not be used for parking, loading, storage, or any other use that would materially restrict, impair, obstruct, or interfere with the use of the Easement Area. Grantor and Grantee will use best efforts and best practices to avoid material disruption of any use of the Easement Area during the installation, maintenance, and repair of any improvement located in the Easement Area. The parties hereto acknowledge, expect, and agree the scope of use and development of the Dominant Estate may increase use of the Easement Area for the purposes reference herein; AND SO LONG AS any such use increase does not (i) materially impair Grantee's use and enjoyment of the Property or Easement Area; (ii) cause damage, injury, or excess wear and tear on and to the Property or Easement Area; (iii) materially cause or increase safety risks, hazards, or environmental injury to the Property, Easement Area, or other users; or (iv) otherwise cause material nuisance for the Property, Easement Area, or other users, then such use increase of the Easement Area will not constitute a breach of the provisions of this easement agreement
- 3.5 Easement Area Improvements.** Grantee will construct, maintain, and repair that portion of the Easement Area roadway located on Lot 53; and Grantor will construct, maintain, and repair that portion of the Easement Area roadway located on Lot 54; HOWEVER, Grantor is not required to begin construction of any Easement Area improvements on Lot 54 until Grantee completes construction of the Grantee's

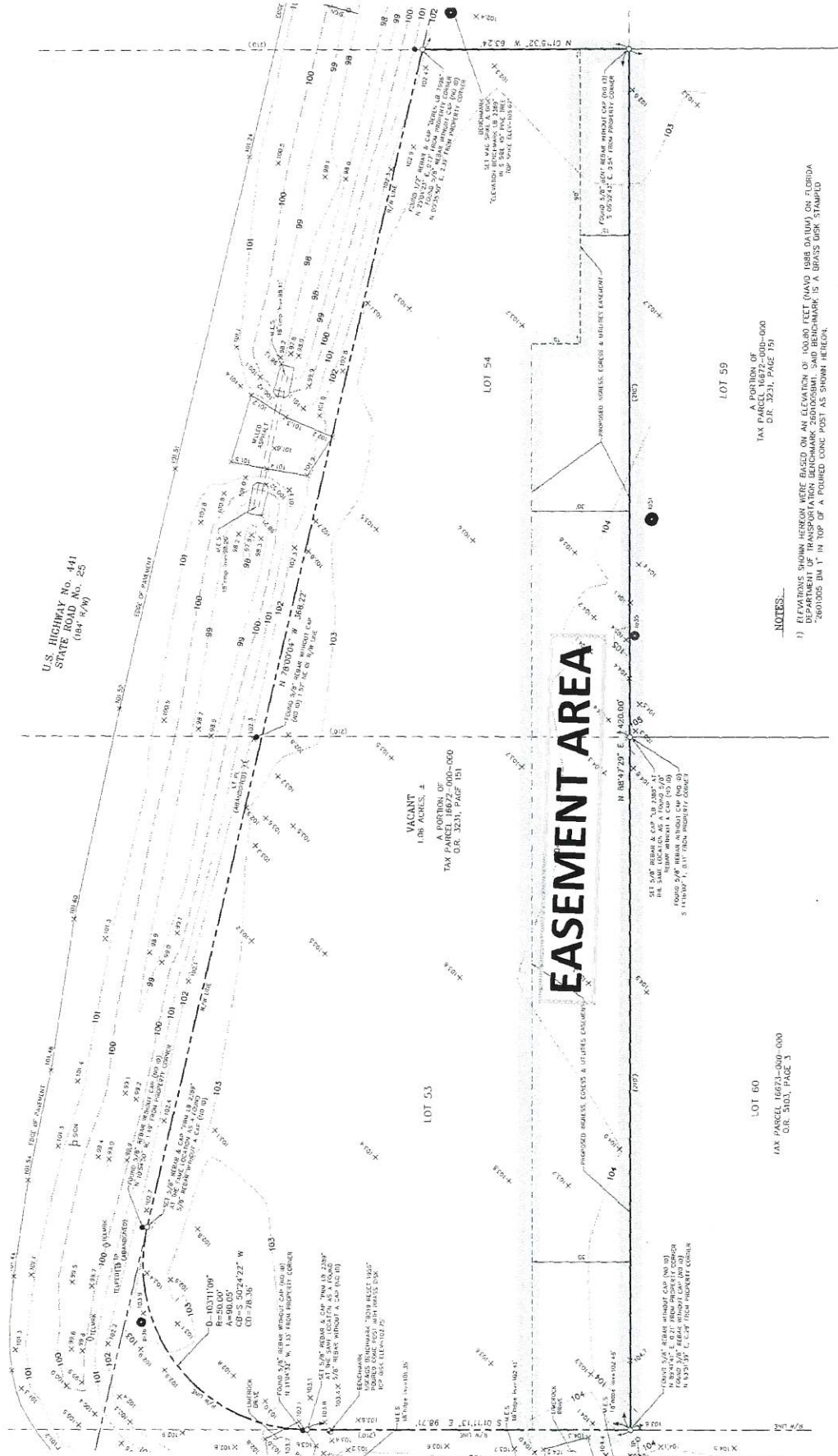
building improvements on the Property. Prior to construction and installation of any improvements within the Easement Area (e.g., Utility Uses, roadway, etc.), Grantor and Grantee will communicate, coordinate, and cooperate with each other to determine the location and installation of all such improvements within the Easement Area to minimize the duplication, disruption, and expense of each party for the shared use of the Easement Area. Each party will prepare and maintain a written record and sketch of all improvements made by said party in the Easement Area and provide a copy to the other party upon request.

4 BINDING EFFECT. This Easement is perpetual and will bind and inure to the benefit of Grantor and Grantor's heirs, devisees, grantees, administrators, successors, and assigns, and will bind and inure to the benefit of Grantee and Grantee's heirs, devisees, grantees, administrators, successors, and assigns, unless and until terminated by mutual agreement by the then owners of the fee simple of both the Property and Dominant Estate by an instrument in writing and recorded in the Official Records of Alachua County, Florida. This Easement is appurtenant to and shall run with the title to the Property and Dominant Estate.

5 INDEMNIFICATION. Grantor will indemnify, keep, and hold harmless the Grantee from and against all claims, costs, expenses, damages, fees, or other liability suffered by the Grantee that arise out of the intentional acts or negligence of the Grantor, or the licensees, guests, agents, or invitees of the Grantor; that arise out of the use of the rights and privileges reserved herein; and all of which are limited to loss or damage to personal property only. Grantor's liability under this Paragraph 5 will continue only for as long as Grantor retains any estate or interest in the Dominant Estate, such liability will continue to Grantor's successors in interest to the Dominant Estate as provided in Paragraph 4 above.

6 ATTORNEYS FEES; PRE-SUIT MEDIATION; ETC. The prevailing party in any litigation, arbitration or mediation relating to this instrument shall recover its reasonable attorney's fees from the other party for all matters, including, but not limited to, appeals. Proper venue for any litigation arising out of this instrument will be in Alachua County, Florida and nowhere else. Each party expressly waives jury trial in all actions, proceedings, or counterclaims brought by either of the parties against the other on any matters whatsoever arising out of or in any way connected with this instrument. Notwithstanding anything to the contrary herein or otherwise, before initiating any legal action in county or circuit court related to this Easement Agreement, the parties first will attempt to resolve the dispute through mediation. Either party may initiate mediation by providing written notice to the other party. The mediation shall be conducted in Gainesville, Alachua County, Florida, by a local mediator agreed to by the parties, and administered by the Florida Rules for Certified and Court Appointed Mediators. Each party shall bear its own costs of mediation, and the parties shall equally share the mediator's fees. If the dispute is not resolved within thirty (30) days of initiating mediation, either party may proceed with legal action.

# EXHIBIT "B-2"



**NOTES:**

1) ELEVATIONS SHOWN HEREON WERE BASED ON AN ELEVATION OF 100.00 FEET (NAVD D888 OR 1004) ON FLORIDA STATE ROAD NO. 25. THE BENCHMARK IS A BRASS DISK STAMPED "2600505 BM 1" IN TOP OF A TYPICAL CONC. POST AS SHOWN HEREON.