# RIGHT OF ENTRY AGREEMENT

This Agreement is made this 1st day of February, 2024 between Archer Western Construction LLC, 1315 E. 7th Ave, Suite 103, Tampa, Florida 33605 ("Contractor") and Gull Aire Village Association, 151B Gull Aire Blvd, Oldsmar, Florida 34677 ("Owner").

**Definition of Contractor:** For purposes of this agreement, all references herein to Contractor shall include Contractor's contractors, subcontractors, officers, agents, employees, and others acting under its or their authority.

Whereas Contractor is engaged in construction activities within the City of St. Petersburg's perpetual easement (16-28-16-00000-440-0200 per the attached hereto as Exhibit A) directly adjacent to the Gull Aire Village Phase 2A Common Area Tract E, AKA Drainage Area & Preservation Area (16-28-16-34805-000-0005), and Gull Aire Village Phase 2C Parcel "A" Common Area (16-28-16-34807-000-0001), as shown in the plat map attached hereto as Exhibit B, and Contractor requires the right to enter upon and have ingress and egress to said easement site, including placement of sound wall barriers, mobilizing and demobilizing large equipment in order to perform casing installation, horizontal directional drilling for water transmission main improvements work in the easement area.

Whereas Owner owns property identified as parcels 16-28-16-34805-000-0005 & 16-28-16-34807-000-0001 in Oldsmar, Florida that Contractor seeks to gain entry to do its work described above.

Therefore, in consideration of Contractor providing the following,

- Constructing access sidewalks for pedestrian traffic only, meeting standard FDOT specifications, in two (2) locations from Canal Way sidewalk to the walking path adjacent to the Lake Tarpon Outfall Canal. To include all permits required by City, State and SWFWMD.
- Contractor paying all expenses for temporary storage of recreational vehicles/trailers/boats for duration of construction project.
- Contractor shall conduct Pre-Condition inspections of properties and homes directly adjacent to drill machine locations. To include homes on Salmon and Trout, east of Sailfish Blvd, directly adjacent to HDD drilling operations (maximum 13 homes)
- Contractor shall provide optional alternative living arrangements for homeowners directly adjacent to drill machine location
- Complete restoration to current conditions for parcels 16-28-16-34805-000-0005 & 16-28-16-34807-000-0001 in Oldsmar, Florida to Owner's satisfaction, including aggregate parking pad, perimeter fence and gate, signage and sod. Photographic documentation prior to work commencing will be provided.
- Clearing of City easement only as required to complete installation of sound wall to complete
  work. This will also include a one-time removal of invasive species in the along the entire
  easement.

Owner grants Contractor the right to enter upon and have ingress to and egress from the property described in these recitals for a period not to exceed 10 months once mobilization begins. The contractor's right of entry shall remain in place for a period of two years from the date of this Agreement, allowing for final permitting, material procurement to be obtained and mobilization to begin. The right herein granted to Contractor is limited to those portions of Owner's property described herein, or as otherwise designated by the Owner. Such right of entry shall in no way obstruct individual homeowner's property or access during construction.

Contractor agrees to indemnify and hold harmless, Owner, its agents, officials and employees against all losses, claims, suits, costs, and expenses which may accrue against Owner arising out of Contractor's entry to and through Owner's property, and further agrees to retain independent counsel at its expense and defend all such claims, demands, and suits. Contractor further agrees to repair, replace, or reimburse Owner for any damage to property, fixtures, landscaping or natural vegetation on Gull Aire parcels 16-28-16-34805-000-0005 & 16-28-16-34807-000-0001.

Executed this 19 day of February, 2024.

Archer Western Construction LLC

By: fatt 2

Title: Program Manager

Gull Aire Village Association

By: John Manser

Title: President HOA - GAV

4157213

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

LAW NO. 15,52 FILED

FEB 19 1968

Deputy C

a misipal Corporation, Petitioner,

\*:3.

TRUST COMPANY, A Fireda Lanking Corporation as Trustee under the Agreement dated Fireday 6, 1957; John L. T. and L. LEDETTER, L. and L.

Defendants.

FINAL JUDGMENT PARCEL NO. 12

This cause coming to trial beginning on January 29, 1963 and a littleming through January 31, 1963, and the Jury having rendered c remaint as follows:

Me, the jury, find for the petitioner as follows:

FIRST: That an accurate description of the property to Le

to on herein is the fullowing:

PARCEL NO. 12

an easement in fee simple 50 foot in width to construct, operate and maintain forever, water mains for the conveyance and distribution of water including necessary communications, fixtures and equipment and accessories desirable in connection therewith inaluding:

- (a) The right to patrol, inspect, alter, improve, repair or remove such lines and to install necessary communication equipment and accessories thereto, and to increase the number of such lines within the boundaries of such easement.
- (b) The right to clear all obstructions, trees, undergrowth and crops located upon said right of way; providing, however, the petitioner shall compensate the defendants for all damages caused thereby.
- (c) The right to erect, install, or construct and maintain gates at locations where fence lines obstruct and/or impede access to the said right of way.

E 8

- (d) The right to demand prior notice to and the power to grant or disapprove of excavating, blasting within the confines of said essement, and if approval is granted, the right to seek compensation from the defendant for damages caused by leaks or breaks in the water mains
- (e) The right to surface and maintain an access and patrol road up to 12 feet in width within the esse-
- (f) The right to prohibit heavy equipment operations within the easement, or the erection of structures therein.

Specifically reserved to the owners or future owners of the fee are the following rights:

- (1) The right to farm and grove the easement, subject to the rights of the holder of the easement, as set out in (b) and (e) above.
- (2) The right to fence and maintain fences across the easement subject to the holder of the easement rights as set out in (c) above.
- (3) The right of ingress and egress across the easement.
- (4) The right to improve for roadway purposes all or part of the easement area as long as heavy equipment operations are not allowed therein.
- (5) All other rights not inconsistent with the uses not generally or specifically given to the petitioner, over the following described parcel, known in these proceedings as Parcel No. 12, to wit:

# PARCEL No. 12

The Southeast 1/4 of Section 16, Township 28 South, Range 16 East, and boundaries of such easement being more particularly described as follows: 25 feet to the Northwest and 25 feet to the Southeast of the following described line: From the South 1/4 corner of said Section 16 run. South 88° 37' 25" East along the South line of said-Section 16, 1,032.10 feet for a point of beginning; thence North 44° 07' 43" East 2,339.78 feet to the east line of said Section 16 for a point of ending, said point being 978.93 feet South of the East 1/4 corner of said Section 16.

OWNED BY: FRANK J. MUSCARELLA, JR., AND JAMES MUSCARELLA

SECOND: That the compensation to be made by Petitioner

for the above described Parcel is as follows:

For Parcel No. 12, described above, we find the compensation to be made therefor the sum of

\$9,800.00

111120 1

1619 ma 75

For the attorney representing Parcel No. 12 \$365.00 we hereby find a reasonable attorney's fee 13 \$365.00 SO SAY WE ALL, this 31st day of January, 1363.

/s/ Samuel R. Aurray
FOREIAN

This verdict is herewith incorporated as part of this cudement.

This Court further finds in addition to the sums above, there are to be assessed against the petitioner herein the following costs incurred by the defendants; \$425.10 - expert witness fee for the defendant's engineer; \$925.00 - expert witness fee for the defendant's appraiser which sum includes all ousts of documents and photographs.

IT IS FURTHER ORDERED, ADJUDGED AND DECIRED that the title to the easement as described in the verdict above in fee simple is hereby vested and appropriated in the petitioner name pro tune as of February 19, 1962, said Declaration of Taxing having been amended to detail the easement as in the verdict above.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED this property being free and clear that there is no need to apportion the award.

TO WE A MENT OF THE PARTY OF TH

DONE AND ORDERED in Chambers, at County Building, St. Petersburg, Pinellas County, Florida, this 18 day of Fairnery 1963.

Therefore it is

Interactive Map of this parcel

Back to Query Results New Search Tax Collector Information

Question/Comment about this parcel

# 16/28/16/00000/440/0200

Data <u>Current</u> as of September 14, 2008 [11:57 am Tuesday September 16]

Vacant Property Owner, Address, and Sales

**Print** 

Property Use: 0

(CITY OF ST PETERSBURG PERPETUAL EASMT PER O.R. BK 1619 PG 73) BEG MOST S'LY COR OF GULL-AIRE VILLAGE PH 2B TH N44DE 1093.47FT TH S 72FT(S) TH S44DW 1012.36FT TH N35DW 25.51FT TH S44DW 40FT TH N35DW 25.5FT TO POB CONT 1.18AC(C)

\*\* Click here for short legal \*\*

### 2008 Exemptions

Homestead: No

Use: 0 %

Ownership: 0 %

Tax Exempt: 0 %

Government: Yes

Institutional: No

Agricultural: \$0

Historic: \$0

## 2008 Value

Comparable Sales Value:: \$1,400

Just/Market Value: \$1,100

Assessed Value/ SOH Cap: \$1,100

History

Taxable Value: \$0

A significant taxable value increase may occur when sold. Click here for details.

# 2008 Tax Information

Tax District: OM

Proposed Millage: 19.6925

Proposed Non Ad Valorem Assessments:

**Proposed Taxes:** \$.00

Proposed Taxes without Save-Our-Homes

\$.00

\$.00

cap:

**Proposed** Taxes without any exemptions: \$21.68

# Owner/Mailing Address Property Address

ST PETERSBURG, CITY

OF

C/O PUBLIC WORKS

**DEPT** 

ATTN PATRICIA

ANDERSON DIR

1635 3RD AVE N

ST PETERSBURG FL

33713-8913

### **Parcel Information**

Book/Page:

Land Use: Municipal,

07354/0832

other tha... (89)

Census Tract: .00 Evacuation Zone: B

Sale Date

Book/Page

Price

**O/U V/I** 

No Recent Sales

Plat Year

Plat Book/Page(s)

Not Platted

**Land Information** 

Seawall:	Frontage: None		View:	
Land Use	Land Size	<b>Unit Value</b>	Units	Method
Vacant Residential(00)	50 x 1053	1,000.00	1.18	Α

# **Vacant Extra Features**

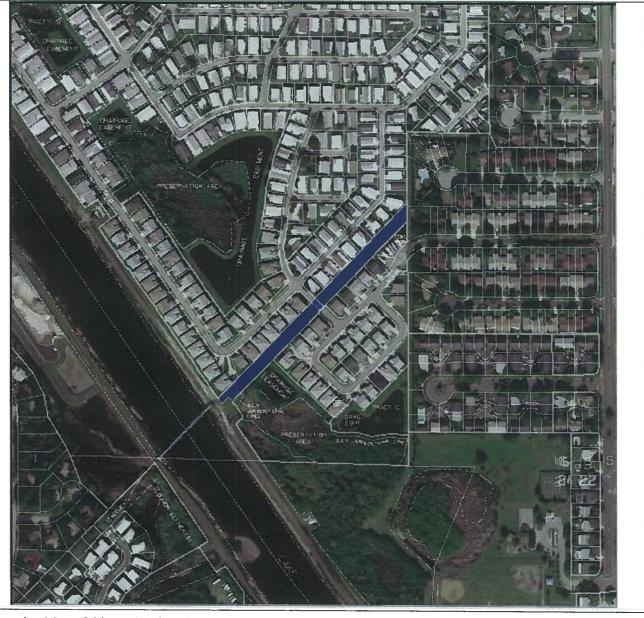
Description Dimensions Value/Unit Units Total NewValue Depreciated Value Year
No Extra Features on Record

Radius (feet):
Aerials: 2007 Color Transparency: 0.5 Update Map

If you do not see a map, the SVG viewer has not been installed. Click here for information and installation.

How to copy and paste a static map using Internet Explorer: Right-click on the map; Select "Copy SVG"; Open a Word document; Select "Paste Special" from Edit menu on toolbar; Select Bitmap, then OK

How to copy and paste a static map using Mozilla Firefox: Right-click on the map; Select "This Frame"; Select "Open Frame in New Window"; Print from the new window.



Interactive Map of this parcel

Back to Query Results New Search Tax Collector Information

Question/Comment about this page

# **GULL-AIRE VILLAGE PHASE 2B**

A SUBDIVISION SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 16 EAST, CITY OF OLDSMAR, PINELLAS COUNTY, FLORIDA.

#### LEGAL DESCRIPTIONS

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#### DEDICATION

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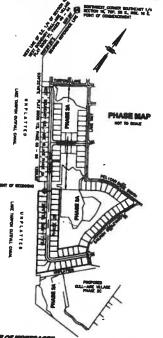
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President

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<u>GRANT</u>

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STATE OF FLOREDA COUNTY OF PRIELLAS

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CENTERCATE OF APPROVAL OF COUNTY CLERK

COUNTY OF PWELLAS STATE OF PLORIDA

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CLERK OF CROUIT COURT PRELLAS COUNTY, PLONDA.

SURVEYOR'S REVIEW FOR COMPORARTY TO CHAPTER 177, PART L PLORIDA STATUES

UPON THE REQUEST OF THE CITY OF GLOSIME, I HEMENY CENTRY THAT, PURSUANT TO CHAPTER 177-05(1), PLOSIDA STATURES, I MAKE REVENUE THE PLAT AND FING THAT TO CHAPTER 177, PART I OF THE PLASMA STATURES, THE GEOMETRY, MAS NOT BEEN VERPED FOR MATHEMATICAL CLOSINE.

ZARRA 8010, INC. 1480 BELTREES STREET DUNEDIN, FLOREDA 34698 (727) 738-8010 (727) 733-0063 FAX

LZ By J-Va PROFESSIONAL LAND SURVEYOR IN

### SURVEYORS CERTIFICATE:

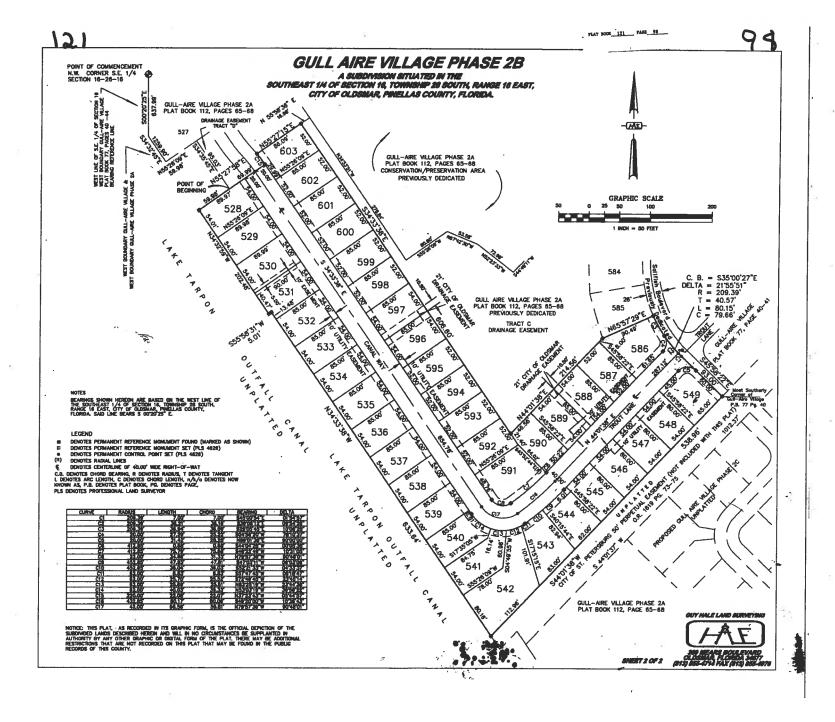
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SIGNED THIS 26th DAY . JUNE . 2000.

DATE OF SURVEY MAY 8, 2000.



SHEET 1 OF 2



PHASE MAP

### GULL-AIRE VILLAGE PHASE 2C

A SUBDIVISION SITUATED IN THE

SOUTHEAST 1/4 OF SECTION 16. TOWNSHIP 28 SOUTH, RANGE 16 EAST,

CITY OF OLDSMAR, PINELLAS COUNTY, FLORIDA.

WASE 24

The undersioned, mortgage under a certain mortgage dated august 9 a.d. 19.80. Recorded in O.R. Book.  $\underline{7384}$  — Page(5). §41. Public records phelials county, Jones in And Consents that in the event of foreclosure of this mortgage augustated areas shall survive and be enforceable.

#### LEGAL DESCRIPTION

COMMENCE AT THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 16, TOWNSHIP 28 SOUTH, RANGE 16 EAST, PRINTLES COUNTY, FLORIDA. THENCE, SOUTH 00720725 EAST, S37,98 PEET ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE, AS RECORDED IN PLAT BOOK 77, PAGES 40 THROUGH 44, OF THE PUBLIC RECORDS OF PIRELLAS COUNTY, FLORIDA, THENCE SOUTH 3-522-45 EAST, ALONG THE WISTS BOUNDARY OF SAND GALL—ARE WILLAGE AND ALSO THE WEST BOUNDARY OF SAND GALL—ARE WILLAGE AND ALSO THE WEST BOUNDARY OF SAND GALL—ARE WILLAGE AND ALSO THE WEST BOUNDARY OF SAND GALL—ARE WILLAGE AND ALSO THE WEST BOUNDARY OF SAND GALL—ARE WILLAGE PHASE 24. THENCE NORTH 55:250° EAST ALONG THE WIST BOUNDARY OF SAND GALL—ARE WILLAGE PHASE 24. THENCE NORTH 55:250° EAST ALONG SAND HOUSE AND SAND SAND GALL—ARE WILLAGE PHASE 24. THENCE SOUTH 55:250° EAST ALONG THE WEST BOUNDARY OF SAND GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:250° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:250° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THENCE SOUTH 55:2750° EAST ALONG THE WEST BOUNDARY OF GALL—ARE WILLAGE PHASE 26. THE COLLEGE PHASE 26. THE COLLEGE

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A FLORIDA LIMITED PARTNERSHIP BY MANAGING GENERAL PARTNER 3 Q CORPORATION, A FLORIDA CORPORATION

-76 GARY F. QUEEN, PRESIDENT

ACKNOWLEDGEMENT AS TO OWNER STATE OF FLORIDA COUNTY OF PINELLAS

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4/23/02

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ACKNOWLEDGEMENT AS TO MORTGAGEE:

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- Francis V. Fournie

FRANCINE J. FOURNIER

GRANT

THE GULL-ARE VILLAGE HOMEOWNERS ASSOCIATION, INC., (A HOT FOR PROFIT FLORIDA CORPORATION) JUNIS IN THE GRANT FOR THE PURPOSE OF ACCEPTING THE MAINTENANCE OF ALL DESIGNATED TRACTS AND DRAINAGE ASSENCIATION AS DESCRIBED IN PARAGRAPH (A) ABOVE THIS DEDICATION.
THE GULL-ARE VILLAGE HOMEOWNERS ASSOCIATION, INC.

PRINTED NAME
PRINTED NAME
WITNESS

WILLIAM L BUCKRER, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED
WILLIAM L BUCKRER, RESEMBLY OF GUIL-AREE WILLKE HOMEOWNERS ASSOCIATION, INC.
(A NOT FOR PROSTIT FLORIBO COMPORATION) WHO IS PRESENALLY HOWOMEN TO ME,
DECLYTING THE FORECOME AND ADMONIZEDED TO ME THAT HE EXECUTED THE
SAME FOR THE PURPOSES SET OUT THEREIN.

THIS LOUNTY, FLORIDA,

THIS LOUNTY, FLORIDA,

DAY

2001.

NOTARY PUBLIC. MY COMMISSION EXPIRES: 4/23/62.

Commens & CC 7.75365 CERTIFICATE OF APPROVAL OF CITY COUNCIL

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD BY BY CHITY COUNCIL OF CUIDSMAR, FLORBAL THIS DAY OF MOLECUL 2000.

THE THE PROPERTY OF THE PROP

CERTIFICATE OF APPROVAL OF COUNTY CLERK

I KARLEDI F. DALLANDE, GLDIK OF THE CRICUIT COURT OF PRICILES COUNTY, FLORIDA, RECREAT VESTIFY THAT THE PLAT HAS BEEN EXAMINED. AND THAT IT COMPUTES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF THE STATE OF FLORIDA PRITABRICH OF MAPS AND PLATS, AND THAT THES PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK IS A. PLACES BY JOB, FULLOW RECORDS OF PRICILES COUNTY, FLORIDA, THES GAD DOT OF PRAY, THE YEAR OF ZOOIL AT LEVEL BLOW.

BY DEPUTY CLERK GIG. N Ardenin Smith

SURVEYOR'S REVIEW FOR CONFORMITY TO

CHAPTER 177 PART L FLORIDA STATUES

UPON THE REQUEST OF THE CITY OF OLDSMAR, I HEREBY CERTIFY THAT, PURELING CHAPTER 177,081(1), FLORIDA STATUTES, I HAVE REVIEWED THIS FLAT AND FIND THAT IT CONFORMS TO CHAPTER 177, PART I OF THE FLORIDA STATUTES. THE GEOMETERY HAS NOT BEEN VERIFIED FOR MATHEMATICAL CLOSURE.

ZARRA BOYD, INC. 1480 BELTREES STREET OUNEDIN, FLORIDA 34698 (727) 738-901D (727) 733-0083 FAX

J.C.B. 3/21/01 JUNEL BOYO DATE FROFESSONAL LAND SURVEYOR NO 3000 STATE OF FLORIDA

SURVEYORS CERTIFICATE:

L CUY D. HALE, HANNE OFFICES AT 389 MEARS BOULEVARD, OLDSMAR, PLORIDA, THE SURVEYOR MAKING THIS PLAT, DO HERBEY CERTIFY THAT IT WAS PREPARED LINGER MY DISECTION AND SUPPRISON, THAT THIS PLAT COMPLEX WITH THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, OF THE FLORIDA STATUTES AND I FURTHER CERTIFY THAT THE PLAT MEETS TALL MATERIAL, OCCUPANTION FOUNDED BY FLORIDA STATUTE 177-001, AND THAT PERBANENT REFERENCE, MONUMENTS HAVE BEEN PLACED AS REQUIRED BY LOW

SIGNED THIS 2 NO. DAY FEBRUARY, 200 L.

DATE OF SURVEY: DECEMBER 14, 2000.

OLY HALF LAND SURVEYING

NOTICE: THIS PLAT. AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANGS DESCRIBED HERBIN AND WILL IN NO GROWINSTANCES BE SUPPLANTED IN AUTHORITY OF ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT. THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**GUY HALE LAND SURVEYING** 

SHEET 2 OF 2 GIRL BEST-OTH FAX (BIS) 855-460

EFFELD NOT

SOUTH BOUNDARY OF SECTION 18

2.5.1.2



# Legal Description per Pinellas County Property Appraiser's Office:

Parcel A: Gull-Aire Village Phase 2A Common Area Tract E, AKA Drainage Area & Preservation Area (16-28-16-34805-000-0005)

Parcel B: Gull-Aire Village Phase 2C Parcel "A" Common Area (16-28-16-34807-000-0001)