

CITY COUNCIL RESOLUTION NO. 2021-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, GRANTING A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY TO PROVIDE ADDITIONAL UTILITIES TO SALLIE MAE JERRY PARK.

WHEREAS, the City of Lake City, Florida, (hereinafter the "City"), has identified a need for additional utilities at Sallie Mae Jerry Park, specifically, along a boundary line of the real property identified by the Columbia County Property Appraiser as number 00-00-00-11479-000, (hereinafter the "Property"); and

WHEREAS, the City is the owner of the Property and Florida Power & Light Company, (hereinafter "FPL"), has requested the City grant a utility easement to FPL for the construction, operation, and maintenance of overhead and underground electric utility facilities to be installed from time to time; and

WHEREAS, the City Council finds that it is in the best interests of the City to grant a utility easement to FPL measuring 10 feet (10') in width running along a portion of the boundary of the Property for the aforementioned purposes and more thoroughly described in the composite Exhibit A, attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The City is hereby authorized to grant a utility easement deed

to FPL for the aforementioned purposes and the Mayor is authorized to execute said instrumentation.

PASSED AND ADOPTED a meeting of the City Council this ____ day of March 2021.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney

Work Request No. _____

Sec. __, Twp __ S, Rge __ E

Parcel I.D. _____
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 6/11

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Frederick L. Koberlein, Jr. Co.

Name: Koberlein Law Offices

Address: 855 SW Baya Dr
Lake City, Florida 32025

pg ____ of ____.

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit FPL to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for FPL's communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed and delivered in the presence of:

CITY OF LAKE CITY, FLORIDA

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: Stephen M. Witt, Mayor

Print Address: 205 North Marion Ave
Lake City, Florida 32025

(Witness' Signature)

Attest:

Print Name: _____
(Witness)

By: _____

Print Name: Audrey E. Sikes, City Clerk

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____ a _____, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____

EXHIBIT A