

RESOLUTION NO. 29-2021, A RESOLUTION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, SUBORDINATING THE CITY'S UTILITY INTERESTS IN CERTAIN LANDS NECESSARY FOR HIGHWAY PURPOSES TO THE INTERESTS OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SUBORDINATION OF CITY UTILITY INTERESTS AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 9 (I-95), Item/Segment No. 4369631, Section 93220-2482, in Palm Beach County, Florida: and

WHEREAS, to complete the project, it is necessary that certain utility easement rights now owned by the City of Lake Worth Beach, Florida ("City"), be subordinated to the rights of the State of Florida Department of Transportation; and

WHEREAS, the State of Florida Department of Transportation has made application to the City to execute and deliver to the State of Florida Department of Transportation a subordination of utility interest, or interests, in favor of the State of Florida Department of Transportation; and

WHEREAS, granting the request is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The above recitals are hereby ratified and confirmed as being true and correct and are hereby incorporated into this resolution.

Section 2. The City hereby agrees to subordinate its interests in the property set forth in the Subordination of City Utility Interests Agreement, attached hereto as **Exhibit A**, to the State of Florida Department of Transportation.

Section 3 The Mayor and City Clerk are authorized to execute the Agreement on behalf of the City.

Section 4. The City Clerk is authorized to send a certified copy of this Resolution to the State of Florida Department of Transportation at 3400 W. Commercial Boulevard, Fort Lauderdale, Florida 33009.

Section 5. This resolution shall become effective immediately upon passage.

The passage of this resolution was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Herman Robinson
Commissioner Sarah Malega
Commissioner Christopher McVoy
Commissioner Kimberly Stokes

The Mayor thereupon declared this resolution duly passed and adopted on the ____ day of _____, 2021.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Deborah M. Andrea, CMC, City Clerk