

A RESOLUTION AUTHORIZING CONDEMNATION
ACTIONS TO OBTAIN FEE SIMPLE TITLE TO
CERTAIN REAL PROPERTY IN BAY COUNTY,
FLORIDA

WHEREAS, the City of Parker has entered into an inter-local agreement with Bay County and the Cities of Springfield and Callaway and the Town of Cedar Grove, all in Bay County, Florida, dated August 12, 1980 to finance, construct and operate a regional waste water treatment or sewer plant facility, interceptor lines and collection lines capable of collecting and treating waste waters or sewer from the municipalities, hereinafter called the sewer "project," and

WHEREAS, Bay County has qualified for and secured certain loans and grants from Environmental Protection Agency and Farmers Home Administration in the amount of approximately \$20,000,000.00 and has validated Bay County Sewer System Revenue Bonds not exceeding \$7,000,000.00 to construct said sewer project, and

WHEREAS, the consulting engineers, J. B. Converse & Co., Inc., designed to place most of the entire sewer project in existing public rights-of-way, but there exists certain areas where sewer lines or pumping stations must be placed on private property, and

WHEREAS, the construction of the sewer project necessitates the acquisition of certain easements and real property from private property owners, and the policy of Bay County and the City of Parker is to make every reasonable effort to acquire real property or easements expeditiously by gift or negotiation, and

WHEREAS, Bay County, as of this date has not acquired real property easements over or fee simple title to the following parcels in Bay County, Florida:

Fee simple title to File Numbers:

File #B-1435

Commence at the Northeast corner of Section 13, Township 4 South, Range 14 West, Bay County Florida. Thence South 89°50'54" West along the North line of said Section 13 for 661.74 feet; thence South 00°09'06" East for 228.85 feet to the Point of Beginning. Thence continue South 00°09'06" East for 30.00 feet; thence North 89°50'54" East for 30.00 feet; thence North 00°09'06" West for 30.00 feet; thence South 89°50'54" West for

30.00 feet to the Point of Beginning.

Easement interest to:

File #B-1313 A 20 feet easement having the following described center line: Commence at the Northeast corner of Section 13, Township 3 South, Range 14 West, Bay County, Florida. Thence South 0°00'43" West along the East line of said Section 13 for 270.57 feet; thence South 89°50'54" West for 50 feet to the West right of way line of U.S. 98 for the Point of Beginning. Thence continue South 89°50'54" West for 337.11 feet; thence North 0°15'54" East for 56.72 feet; thence South 89°50'54" West for 254.26 feet to the terminus of said easement.

File #B-1434 A 20 feet easement having the following center line: Commence at the Northeast corner of Section 13, Township 4 South, Range 14 West, Bay County, Florida. Thence South 89°50'54" West along the North line of said Section 13 for 641.73 feet; thence South 00°09'06" East for 33.00 feet to the South right of way line of Cherry Street for the Point of Beginning. Thence continue South 00°09'06" East for 195.85 feet to the terminus of said easement.

all of which has been surveyed and located by or at the direction of the consulting engineers as shown by the maps on file in the office of the Clerk of the Circuit Court of Bay County, and in the office of the consulting engineer, and

WHEREAS, Bay County will not begin construction of the sewer project on said areas until fee simple title or an easement to said areas has been conveyed to or is vested in Bay County, Florida, and

WHEREAS, the Board of County Commissioners of Bay County has authorized its attorney, by Resolution, to initiate and litigate condemnation actions to acquire the necessary easements or real property where such cannot be obtained through gift or negotiation, and

WHEREAS, the policy of the City of Parker is to cooperate with Bay County in obtaining all necessary easements or real property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF PARKER, FLORIDA, the following:

1. That the acquisition of a fee simple title to the above-described parcels referenced by file numbers above and incorporated herein by reference is necessary to promote and protect the health, safety and welfare of the citizens of the City of Parker in that said parcels are necessary for the construction and completion of the Bay County sewer project as locations for sewer lines, pumping stations or other facilities

designed to transfer waste water, and


2. That although the policy of the City of Parker is to make every reasonable effort to acquire real property or easements expeditiously by gift or negotiation, the City shall exercise its power of eminent domain to obtain such easements or real property by condemnation when negotiations fail to.

3. That the City Attorney is hereby authorized to cooperate with the County Attorney in initiating and litigating condemnation proceedings to acquire such necessary easements or real property to facilitate the construction and completion of the Bay County sewer project.

4. The City of Parker shall join the Board of County Commissioners of Bay County as a party in any condemnation action involving property within the boundaries of the City of Parker, and the City Attorney is hereby authorized to make such appearance on behalf of the City of Parker.

5. That a 15 foot temporary construction easement on each side of File #B-1313 and File #B-1434 as described above is necessary to construct said sewer line and condemnation proceedings to acquire said temporary construction easement is hereby authorized.

DATED THIS 21st day of July, 1981.


Carl Gilburt
MAYOR

ATTEST:

Bruce Anderson
CITY CLERK