

RESOLUTION NO. 201

A RESOLUTION RELATING TO SEWER CONNECTIONS FOR
LONGPOINT EXPANSION AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, pursuant to the provisions of Article IX of Ordinance 96-217, as amended, the City Council is empowered to provide for a charge for making connections to its public sewer;

WHEREAS, pursuant to Ordinance 96-217, as amended, the owners of all property to which sewer service is available are required to connect to the public sewer, unless granted an exemption therefrom;

WHEREAS, it is the intent of the City Council to require those fee simple property owners consisting of Michael L. Miller and Carol J. Miller, as to a Life Estate Interest Measured by the Life of Carol J. Miller, with the Remainder in Fee Simple to Michael L. Miller (collectively "Miller") to connect to the public sewer as required by said Ordinance and to provide for the payment or waiver of connection and impact fees;

WHEREAS, Miller has granted easements to the City for the purpose of extending the public sewer line in the Longpoint area ("Extension") on, through, across and under that certain real property more particularly described on Exhibit "A" attached hereto and made a part hereof ("Property"); and

WHEREAS, in exchange for the grant of the foregoing easements, the City has agreed to pass this Resolution.

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

SECTION 1. Miller may obtain a Ten and No/100 Dollars (\$10.00) sewer permit per connection and then connect to the public sewer within ninety (90) days once sewer becomes available as determined by the Director of Public Works for the Longpoint Extension, without payment of any connection or impact fee.

SECTION 2. If Miller obtains one or more Ten and No/100 Dollars (\$10.00) sewer permits but fails to connect an equal number of sewer taps to the public sewer within said ninety (90) day period, Miller shall be required to pay a connection and impact fee as outlined in the appropriate City Ordinances, prior to connecting to the public sewer, for any unconnected taps.

SECTION 3. If Miller does not pay the Ten and No/100 Dollars (\$10.00) permit fees and also fails to lawfully connect an equal number of taps to the public sewer within said ninety (90) day period, Miller shall be subject to all fees and charges of the City as set forth in Ordinance No. 96-217, as amended, including but not limited to any connection and impact fees, for any unconnected taps or unobtained permits.

SECTION 4. The Director of Public Works shall notify Miller, in writing, once sewer is available and shall track all connections therein.

SECTION 5. The City Council may waive the requirement for payment of connection and impact fees hereunder where good cause, by hardship or otherwise, is shown for the delay in seeking a permit to the public sewer.

SECTION 6. This Resolution shall take effect immediately upon

its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Parker, Florida, on this 6th day of July, 1999.

CITY OF PARKER

Brenda G. Hendricks
BRENDA G. HENDRICKS, Mayor

ATTEST:

David W. Linger
DAVID W. LINGER, City Clerk

PARCEL I

** OFFICIAL RECORDS **
BOOK: 1877 PAGE: 751

Beginning at a point where the South boundary line of Section 24, Township 4 South, Range 14 West intersects the West right of way line of State Road No. 10, State Road No. 10 has a 100 foot right of way for Point of Beginning; thence South 38° 58' West, 75 feet; thence North 51° 02' West to St. Andrews Bay 614.82 feet; thence North 33° 50' East along the edge of St. Andrews Bay 78.92 feet; thence South 51° 02' East, 590.46 feet to the Point of Beginning.

PARCEL II

Beginning on the South boundary line of Section 24, Township 4 South, Range 14 West at the intersection of the West right of way line of State Road No. 10, (State Road No. 10 has 100 foot right of way) for the Starting Place; running thence North 51° 02' West about 590 feet to St. Andrews Bay; thence North 33° 50' East along the edge of the Bay about 156.5 feet to a point exactly 150 feet from a parallel of the South line of this parcel; thence South 51° 02' East about 546 feet to the West right of way line of State Road No. 10; thence South 38° 58' West, 150 feet to the Point of Beginning.

EXHIBIT "B"

AN EASEMENT FOR PURPOSES OF ACCESS, CONSTRUCTION, AND MAINTENANCE, CONNECTING A PROPOSED SEWER MAIN TO THE EXISTING P-17 SEWER SYSTEM. SAID EASEMENT BENEFITING THE CITY OF PARKER AND BEING 15 FEET IN WIDTH, THE LIMITS OF WHICH ARE LOCATED EQUAL DISTANCES ON EACH SIDE OF THE EASEMENT'S CENTERLINE AS SURVEYED BY BASKERVILLE-DONOVAN, INC., IN MARCH OF 1999, AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA, WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 30-A; THENCE RUN NORTH 38 DEGREES 58 MINUTES 00 SECONDS EAST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 150.00 FEET TO THE MOST SOUTHERLY POINT OF PARCEL 3 DESCRIBED IN OFFICIAL RECORDS BOOK 1345, PAGE 398, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE RUN NORTH 51 DEGREES 02 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 3 AND PARCEL 2 DESCRIBED IN OFFICIAL RECORDS BOOK 1345, PAGE 398, FOR A DISTANCE OF 453.83 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE. THENCE RUN SOUTH 33 DEGREES 21 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 60.22 FEET; THENCE RUN SOUTH 61 DEGREES 32 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 178.76 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE.

IN ADDITION, A TEMPORARY CONSTRUCTION EASEMENT IS HEREBY GRANTED COVERING A STRIP OF LAND THIRTY (30) FEET IN WIDTH, THE LIMITS OF WHICH ARE LOCATED EQUAL DISTANCES ON EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE. SAID TEMPORARY CONSTRUCTION EASEMENT SHALL TERMINATE AT THE COMPLETION OF CONSTRUCTION, OR WITHIN THREE (3) CALENDAR YEARS FROM THE DATE OF THIS EASEMENT, WHICHEVER OCCURS FIRST IN TIME.

SAID LANDS LYING IN AND BEING A PORTION OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA.

**** OFFICIAL RECORDS ****
BOOK: 1877 PAGE: 750

EXHIBIT "A"

AN EASEMENT FOR PURPOSES OF ACCESS, CONSTRUCTION, AND MAINTENANCE, CONNECTING A PROPOSED SEWER MAIN TO THE EXISTING P-17 SEWER SYSTEM. SAID EASEMENT BENEFITING THE CITY OF PARKER AND BEING 15 FEET IN WIDTH, THE LIMITS OF WHICH ARE LOCATED EQUAL DISTANCES ON EACH SIDE OF THE EASEMENT'S CENTERLINE AS SURVEYED BY BASKERVILLE-DONOVAN, INC., IN MARCH OF 1999, AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA, WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 30-A; THENCE RUN NORTH 38 DEGREES 58 MINUTES 00 SECONDS EAST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 150.00 FEET TO THE MOST SOUTHERLY POINT OF PARCEL 3 DESCRIBED IN OFFICIAL RECORDS BOOK 1345, PAGE 398, OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE RUN NORTH 51 DEGREES 02 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 3 AND PARCEL 2 DESCRIBED IN OFFICIAL RECORDS BOOK 1345, PAGE 398, FOR A DISTANCE OF 453.83 FEET; THENCE RUN SOUTH 33 DEGREES 21 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 60.22 FEET; THENCE RUN SOUTH 61 DEGREES 32 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 178.76 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE. THENCE CONTINUE SOUTH 61 DEGREES 32 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 41.24 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE.

IN ADDITION, A TEMPORARY CONSTRUCTION EASEMENT IS HEREBY GRANTED COVERING A STRIP OF LAND THIRTY (30) FEET IN WIDTH, THE LIMITS OF WHICH ARE LOCATED EQUAL DISTANCES ON EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE. SAID TEMPORARY CONSTRUCTION EASEMENT SHALL TERMINATE AT THE COMPLETION OF CONSTRUCTION, OR WITHIN THREE (3) CALENDAR YEARS FROM THE DATE OF THIS EASEMENT, WHICHEVER OCCURS FIRST IN TIME.

SAID LANDS LYING IN AND BEING A PORTION OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA.

EXHIBIT "A"

**** OFFICIAL RECORDS ****
BOOK: 1877 PAGE: 744

Beginning at a concrete monument at the intersection of the South line of Section 24, Township 4 South, Range 14 West with the Westerly right of way line of U. S. Highway 98; thence South $38^{\circ} 58'$ West, 75 feet along said West right of way line to the Point of Beginning; from said Point of Beginning South $38^{\circ} 58'$ West, 75 feet; thence North $51^{\circ} 2'$ West to St. Andrews Bay 639.18 feet; thence North $33^{\circ} 50'$ East along the edge of St. Andrews Bay 78.92 feet; thence South $51^{\circ} 2'$ East, 614.82 feet to the Point of Beginning.

EXHIBIT "B"