

RESOLUTION NO. 03-02-05

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A UTILITY EASEMENT ON BEHALF OF THE TOWN AND IN FAVOR OF FLORIDA POWER & LIGHT GENERALLY LOCATED WITHIN THE LAKE PARK HARBOR MARINA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park (Town) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is the owner of real properties within the municipal borders of the Town; and

WHEREAS, the Town Commission has determined that it is in the best interest of the Town and Florida Power & Light to enter into an Easement Agreement for the use of certain Town real property by Florida Power & Light for the installation, maintenance and operation of electric lines and appurtenant facilities; and

WHEREAS, the Town proposes to grant a perpetual utility easement to Florida Power & Light for the installation, maintenance and operation of electric lines and appurtenant facilities, in, on, over, across, under and through real property generally located on property within the Town as described in **Exhibit "A"**; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

SECTION 1.

The whereas clauses are hereby incorporated as true and correct as the findings of fact and conclusions of law of the Town Commission.

SECTION 2.

That Mayor is hereby authorized and directed to execute an Easement Deed in favor of Florida Power & Light for the real property legally described in **Exhibit "A"** and attached hereto.

SECTION 3.

This Resolution shall take effect immediately upon its adoption.

The foregoing RESOLUTION was offered by Commissioner vice-Mayor Balius who moved its adoption. The motion was seconded by Commissioner Daly and upon being put to a vote, the results were as follows:

	AYE	NAY
MAYOR PAUL CASTRO	<u>X</u>	—
VICE MAYOR G. CHUCK BALIUS	<u>X</u>	—
COMMISSIONER PAUL GARRETSON	<u>X</u>	—
COMMISSIONER JEFF CAREY	<u>X</u>	—
COMMISSIONER ED DALY	<u>X</u>	—

The Mayor thereupon declared the foregoing RESOLUTION NO. 03- duly passed and adopted this 2 day of February, 2005 02-05

TOWN OF LAKE PARK, FLORIDA

BY: *Paul W. Castro*
Paul W. Castro, Mayor

ATTEST:

Stephanie Thomas
Stephanie Thomas
Interim Town Clerk



Thomas J. Baird
Thomas J. Baird, Esquire
Approved as to form and legal sufficiency