

RESOLUTION NO. 04-02-05

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 PUBLIC UTILITIES; 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 Public Utilities to enter into an Easement Agreement for the use of certain Town real property by Florida Public Utilities; and

WHEREAS, the Town proposes to grant a perpetual utility easement to Florida Public Utilities for the installation, maintenance and operation of gas lines and appurtenant facilities, in, on, over, across, under and through real property generally located on property within the Town; 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 in favor of Florida Public Utilities for the real property legally described in Exhibit "A" and attached hereto.

SECTION 3.

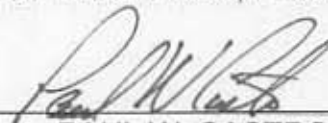
This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Daly, who moved its adoption. The motion was seconded by Vice Mayor Balius, and upon being put to a roll call vote, the vote was as follows:

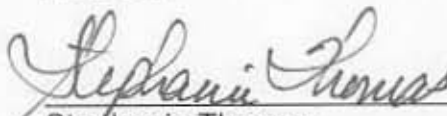
| | AYE | NAY |
|-----------------------------|----------|-------|
| MAYOR PAUL W. CASTRO | <u>X</u> | _____ |
| VICE-MAYOR G. CHUCK BALIUS | <u>X</u> | _____ |
| COMMISSIONER PAUL GARRETSON | <u>X</u> | _____ |
| COMMISSIONER ED DALY | <u>X</u> | _____ |
| COMMISSIONER JEFF CAREY | <u>X</u> | _____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

The Mayor thereupon declared the foregoing Resolution No. 04-02-05 duly passed and adopted this 2nd day of February, 2005.

TOWN OF LAKE PARK, FLORIDA

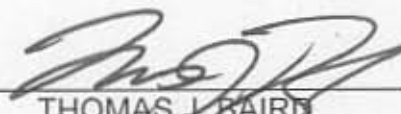
BY: 
PAUL W. CASTRO
MAYOR

ATTEST:


Stephanie Thomas
TOWN CLERK

(TOWN SEAL)

Approved as to form and legal sufficiency:

By: 
THOMAS J. BAIRD
TOWN ATTORNEY