

RESOLUTION NO. 991292

PASSED April 10, 2000

A RESOLUTION DETERMINING THE NECESSITY AND PUBLIC PURPOSE OF ACQUIRING BY QUIT-CLAIM DEED PROPERTY LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF SE DEPOT AVENUE, IN ALACHUA COUNTY, AND AUTHORIZING THE ACQUISITION OF SAID PROPERTY AND EXECUTION OF DOCUMENTS NECESSARY TO EFFECT ITS TRANSFER.

WHEREAS, the City of Gainesville owns, operates and maintains the John R. Kelly Generating Station which provides electric power to a region extending within and beyond the municipal boundaries of the City of Gainesville; and

WHEREAS, the City of Gainesville is currently in the process of re-powering the John R. Kelly Generating Station in an effort to reduce air emissions and significantly increase its power generating capacity; and

WHEREAS, during the design process for the re-powering project and the associated perimeter treatment, it was discovered that a portion of the property currently being used by the City and planned to be utilized for this project, is owned by the State of Florida, by and through the State of Florida Department of Transportation; and

WHEREAS, the State of Florida Department of Transportation has indicated a willingness to transfer ownership of said property via quit-claim deed to the City of Gainesville; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

1. The acquisition of the land described in Attachment A is necessary to facilitate the re-powering of the City's John R. Kelly Generating

which is necessary for the day to day operation of the utility and constitutes a valid purpose and necessity for the operation of said utility.


2. The General Manager for Utilities is hereby authorized to acquire said land by quit-claim deed from the Florida Department of Transportation.
3. The General Manager for Utilities is further authorized to execute any documents necessary to effect the transfer of said property to the City of Gainesville.
4. This Resolution shall become effective immediately upon adoption.

Passed and adopted this 10th day of April, 2000.



Paula M. DeLaney, Mayor

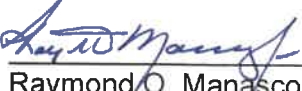
ATTEST:



CLERK OF THE COMMISSION
Kurt M. Lannon

Approved as to Form and Legality:

By:



Raymond O. Manasco, Jr.
Utilities Attorney
City of Gainesville, Florida

ATTACHMENT A

A PARCEL OF LAND LOCATED IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4"X 4" CONCRETE MONUMENT (#2115) MARKING THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE ALONG THE WEST LINE OF SECTION 4, N 00°38'30" E A DISTANCE OF 97.64 FEET TO A POINT MARKING THE INTERSECTION WITH THE CENTERLINE OF THE ABANDONED CSX RAILROAD; THENCE ALONG SAID CENTERLINE N 77°24'18" E A DISTANCE OF 117.37 FEET TO A POINT MARKING THE INTERSECTION SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE SE 3RD STREET AND SAID RAILROAD LINE; THENCE N 01°46'47" W A DISTANCE OF 120.63 FEET TO A SET 5/8" REBAR AND CAP (#3524) MARKING THE SOUTHWEST CORNER OF BLOCK 13 INGRAM'S ADDITION AND THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SE 3RD STREET; THENCE N 88°41'01" E A DISTANCE OF 13.15 FEET TO THE POINT OF BEGINNING, THENCE S 47°06'55" E A DISTANCE OF 10.67 FEET TO A POINT; THENCE N 88°41'01" E A DISTANCE OF 102.59 FEET TO A POINT; SAID POINT BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 213.98 FEET, A DELTA OF 20°51'48" AND A CHORD BEARING S 60°13'07" E 77.49 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.92 FEET TO A POINT; THENCE S 83°10'43" E A DISTANCE OF 49.09 FEET TO A POINT; THENCE N 80°30'09" E A DISTANCE OF 182.49 FEET TO A POINT; THENCE N 77°29'28" E A DISTANCE OF 86.48 FEET TO A POINT MARKING THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 11 OF ROPER'S ADDITION BLOCK 1, RANGE 2 AS PER DEED BOOK "J" PAGE 550; THENCE N 07°33'04" E A DISTANCE OF 54.84 FEET TO A POINT ON SAID WEST LINE OF LOT 11; THENCE S 77°24'18" W A DISTANCE OF 185.14' TO A SET 5/8" REBAR AND CAP (#3524); THENCE S 76°30'24" W A DISTANCE OF 52.76 FEET TO A FOUND 5/8" REBAR AND CAP (LB#244); THENCE S 02°11'14" E A DISTANCE OF 8.20 FEET TO A FOUND 5/8" REBAR AND CAP (NO ID); THENCE S 88°07'35" W A DISTANCE OF 24.19 FEET TO A FOUND 5/8" REBAR AND CAP (NO ID); THENCE N 01°05'16" W A DISTANCE OF 3.50 FEET TO A FOUND 5/8" REBAR AND CAP (NO ID); THENCE S 77°55'18" W A DISTANCE OF 25.58 FEET TO A FOUND 5/8" REBAR AND CAP (LB#244); THENCE N 01°10'11" W A DISTANCE OF 14.53 FEET TO A FOUND 5/8" REBAR AND CAP (NO ID); THENCE S 88°41'01" W A DISTANCE OF 216.84 FEET TO THE POINT OF BEGINNING CONTAINING 0.4 ACRES MORE OR LESS.