

**RESOLUTION NO. 01-001**

**PASSED NOVEMBER 9, 2000**

**A Resolution of the Gainesville-Alachua County Regional Airport Authority concerning release of certain real property from certain terms, conditions, reservations, obligations and restrictions contained in or referred to in existing grant agreements and instruments of transfer as they may relate to the property for purposes of sale and agreeing to use proceeds of such sale for developing and improving the Gainesville Regional Airport; and providing an immediate effective date.**

**WHEREAS**, the City Commission for the City of Gainesville, Florida, desires to convey certain lands located at the Airport Industrial Park, which property was originally acquired from the United States Government by Instrument of Transfer dated October 15, 1948, recorded in Deed Book 260, page 239, of the Public Records of Alachua County, Florida, which Instrument of Transfer restricts the City of Gainesville from selling, leasing, or in any way disposing of said Airport lands without the prior approval of the United States Government; and

**WHEREAS**, the City of Gainesville desires to sell said certain lands to Kenneth O. Lester Company (KOLC), for Airport Industrial Park developmental purposes, which purpose will not be in conflict with the aeronautical purposes of the Airport; and

**WHEREAS**, the United States Government requires submittal of certain information and requires certain agreements and conditions as a prerequisite to approving the release and sale of said lands.

**NOW, THEREFORE, BE IT RESOLVED BY THE GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY (GACRAA), that:**

**Section 1.** GACRAA concurs with the determinations and requests made by the City of Gainesville relating to the sale of this property and the use of the proceeds of the sale as reflected in the proposed City of Gainesville Resolution, copy attached as Exhibit A (without exhibits).

**Section 2.** The representations made in the November 14, 2000, Request for Release of Surplus Property Pursuant of Federal Aviation Regulations, Part 155.11, copy attached as Exhibit B (without exhibits), are hereby ratified, and approved.

**Section 3.** The property described in Exhibit "C", attached hereto, shall be transferred and sold to the Kenneth O. Lester Company for purposes of industrial park development.

**Section 4.** The property shall be sold for the appraised fair market value and the net proceeds of such sale shall be immediately transferred to the Gainesville-Alachua County Regional Airport Authority for deposit into an interest bearing account where said funds shall remain until utilized for the purposes of Airport development and improvement.

**Section 5.** The GACRAA has determined that the parcel is not necessary for aviation purposes and the release will not affect the operation or maintenance of the Airport as a public airport, rather that the revenues generated by the sale will significantly enhance the Airport and its ability to serve the aviation public.

**Section 6.** The City of Gainesville shall include in the deed conveying title of the property to Kenneth O. Lester Company provisions as follows:

(1) That the City of Gainesville reserves unto itself, its successors and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the surface of the real property described in Exhibit C, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used,

for navigation of or flight in the said airspace, for use of said airspace for landing on, or taking off from or operating on Gainesville Regional Airport.

(2) That the City of Gainesville expressly agrees for itself, its successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the hereinafter described real property to such a height so as to comply with Federal Aviation Regulations, Part 77.

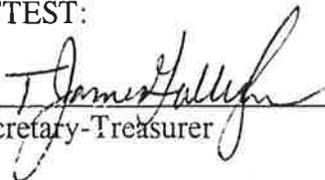
(3) That the City of Gainesville expressly agrees for itself, its successors and assigns, to prevent any use of the hereinafter described real property which would interfere with the landing or takeoff of aircraft at Gainesville Regional Airport or interfere with air navigation and or communication facilities serving Gainesville Regional Airport, or otherwise constitute an airport hazard.

**Section 7.** The appropriate GACRAA officials are hereby authorized to execute any other documents necessary to effectuate the release of restrictions, the transfer of property, and the deposit and use of net proceeds of the sale.

**Section 8.** This resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of November, 2000.

ATTEST:

  
Secretary-Treasurer

GAINESVILLE-ALACHUA COUNTY  
REGIONAL AIRPORT AUTHORITY

  
Chair

APPROVED AS TO FORM AND LEGALITY:

