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Quit-Claim Deed to Angus and Terrie Rimes (B)

In 1993 the City commission authorized the General Manager to acquire properties needed to facilitate the construction of a Rail Spur connecting the Deerhaven Generating Station to the Norfolk Southern Railway in Lake Butler. GRU outsourced the majority of the acquisition of land rights required for the construction of the Rail Spur to KE Realty. Approximately thirty-three parcels were acquired and/or leased to accommodate the project. In 1994, staff negotiated a long-term contract with CSX Transportation for the transportation of coal to the Deehaven Generating Station, eliminating the immediate need for the construction of the Rail Spur.

Two of the parcels that were acquired contained a contingency that the property be reverted to the seller in the event that no railroad or associated facility was constructed within 10 years of the date of deed. Staff successfully negotiated easement rights for the construction of rail spur in exchange for fee ownership with one of the property owners in 2003. However, attempts to negotiate with the other property owner to eliminate the reverter language were not successful.

Under the terms of the deed, the City is obligated to return the property to the seller upon written request at the end of 10 years from the original date of deed. The deed was executed January 28, 1994 and August 15, 2005 the owner requested in writing that the City return all interest and rights to the property.

The City Commission: 1) Authorize the Mayor to execute a Quit-Claim Deed to Angus and Terrie Rimes relinquishing the City's interest in a parcel land located at Route 2 Box 714, Lake Butler, FL, subject to approval by the City Attorney as to form and legality.

Prepared by: Patricia A. Moore, Utilities Administrative Services Director

Submitted by: Michael L. Kurtz, General Manager