



Legislation Text

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Perpetual Transportation Easement to State of Florida, Department of Transportation (B)

The Florida Department of Transportation (FDOT) is currently working on the reconstruction of a portion of NW 39th Avenue. During the planning process for this project, FDOT identified a 20' X 50' strip of City of Gainesville land they will need to construct fill slopes on to accomplish the construction. The strip is located on Lift Station #53 property in the 9800 block of NW 39th Avenue west of I-75.

Staff has reviewed and approved FDOT's construction plans for this project and determined that thirty linear feet of 8" epoxy line ductal iron pipe gravity sewer main, one 4' diameter sanitary sewer manhole, and one 8' diameter sanitary sewer manhole exist within the 20' X 50' strip.

Since there are existing utilities located on the property, staff has recommended the granting of a perpetual transportation easement to FDOT for this project. The City will retain fee simple title to the lift station property.

An indemnification clause has been incorporated into the easement document protecting and defending the City of Gainesville from all claims or expenses arising from or relating to FDOT's utilization of the easement area for transportation purposes. If any relocation of the existing sanitary sewer facilities are necessary as a result of fill placement, said relocation shall be at FDOT's expense. Furthermore, any future utility relocations requested by FDOT shall be paid for by the State.

The City Commission: 1) approve the granting of a Perpetual Transportation Easement to the State of Florida, Department of Transportation located on City of Gainesville lift station right-of-way in the 9800 block of NW 39th Avenue; and 2) authorize the Mayor and Clerk of the Commission to execute the easement document, subject to the approval by the City Attorney as to form and legality.

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