



## Legislation Details (With Text)

**File #:** 120549. **Version:** 2 **Name:**  
**Type:** Staff Recommendation **Status:** Passed  
**File created:** **In control:** City Manager  
**On agenda:** 12/6/2012 **Final action:** 12/6/2012  
**Title:** Drainage Usage Certificates (B)

This item is a request for approval and authorization to execute Usage Certificates.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 120549\_200121206.pdf, 2. 120549\_Usage Certificate\_20121206.pdf

Date	Ver.	Action By	Action	Result
12/6/2012	2	City Commission	Approved as Recommended	Pass

### Drainage Usage Certificates (B)

**This item is a request for approval and authorization to execute Usage Certificates.**

In the 1950's and 1960's, the Florida Department of Transportation installed drainage facilities that run east from approximately Northeast 19<sup>th</sup> Street to Northeast 23<sup>rd</sup> Street, south, down Northeast 23<sup>rd</sup> Street, and east along a segment of Southeast 3<sup>rd</sup> Avenue to Northeast 25<sup>th</sup> Street. These drainage facilities serve as necessary appurtenances to those City roads by draining surface water from the rights-of-way and have been maintained by the City since their installation. In preparation of the survey, design and construction of Northeast 19<sup>th</sup> Street, Northeast 19<sup>th</sup> Terrace, Northeast 19<sup>th</sup> Drive, and Northeast 25<sup>th</sup> Street commonly referred to as the SAFETEA-LU Projects, it was discovered that title to portions of the drainage facilities have not been conveyed to FDOT or the City and lie outside of the two adjacent platted properties, as such portions of the drainage facilities are deemed to be hiatus. The segments of the drainage facility lying in the hiatus areas are primarily located in the extension of Northeast 5<sup>th</sup> Avenue, running from Northeast 19<sup>th</sup> Street to Northeast 23<sup>rd</sup> Street and on the north side of Northeast 3<sup>rd</sup> Avenue, running from Northeast 24<sup>th</sup> Street to Northeast 25<sup>th</sup> Street. There is also an area of the outfall, lying easterly of Northeast 25<sup>th</sup> Street. In accordance with the provisions of Section 95.361 (1), Florida Statutes, the usage certificate depicts and describes the drainage appurtenances in and to the roads, specifically the portions of the public drainage facilities which the City has maintained and kept in repair uninterruptedly for a period of four years or more.

Funding in the amount of \$200 for administrative costs is available in the Public Works FY13 operating budget for the document recording fees.

The City Commission: 1) approve and authorize the Mayor to execute, and the Clerk to attest the Usage Certificates, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager or his designee to record the Usage Certificates in the Public Records of Alachua County, Florida

