

Agenda Item 14
Meeting of 6/5/13

RESOLUTION 13-13287

A RESOLUTION GRANTING AN EASEMENT WITHIN THE RIGHT-OF-WAY OF 10TH AVENUE SOUTH TO FLORIDA POWER & LIGHT COMPANY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND AND GROUND MOUNTED ELECTRIC UTILITY FACILITIES FOR THE PURPOSE OF EXPANDING ELECTRICAL UNDERGROUND FACILITIES; AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Power & Light Company (FPL) currently has underground electrical facilities to include a ground mounted transformer at the east end of 10th Avenue South to serve the Old Naples Seaport and properties (Reference: FPL Easement recorded in OR Book 001670, Pages 001017-001019); and

WHEREAS, in accordance with planning for improved electrical services to the Old Naples Seaport, FPL has designed an expanded underground service to include the addition of a ground mounted transformer to be located adjacent to the existing transformer and within the attached legal description, Exhibit A; and

WHEREAS, in order for FPL to construct, operate and maintain improved service, an electric utility easement that is dedicated to the Florida Power & Light Company is necessary; and

WHEREAS, the expanded electrical service improvements to be located at the east end of 10th Avenue South are consistent with land use improvements and service requirements of the Old Naples Seaport development and the granting of the easement to the Florida Power & Light Company is considered in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

- Section 1.** That the electric utility Underground Easement as described in the legal description attached as Exhibit A is granted to the Florida Power & Light Company.
- Section 2.** That the Mayor is hereby authorized to execute this easement.
- Section 3.** That this resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 5TH DAY OF JUNE, 2013.

Attest:


Patricia L. Rambosk, City Clerk


John F. Sorey III, Mayor

Approved as to form and legality:


Robert D. Pritt, City Attorney

M:\REF\COUNCIL\RES\2013\13-13287
Date filed with City Clerk: 6-5-13

EXHIBIT "A"
LEGAL DESCRIPTION
TO
FLORIDA POWER AND LIGHT
UTILITY EASEMENT
FOR
10TH AVENUE SOUTH TRANSFORMER SITE

April 2013

A portion of the right-of-way of 10th Avenue South located 10 feet south and parallel with the south line of Block 11, Tier 11, Plan of Naples, a subdivision recorded in Plat Book 1, Page 9 of the Public Records of Collier County, Florida, more particularly described as follows:

From the southwest corner of said Block 11, Tier 11, run North 90 degrees 00'00" East along the north right-of-way line of 10th Avenue South a distance of 252 feet; thence South 00 degrees 00'00" East a distance of 10 feet to the POINT OF BEGINNING; thence continue easterly along a line parallel to the north right-of-way line of 10th Avenue South (North 90 degrees 00'00" East) a distance of 26 feet; thence South 00 degrees 00'00" East a distance of 20 feet; thence South 90 degrees 00' 00" West a distance of 26 feet; thence North 00 degrees 00'00" West a distance of 20 feet to the POINT OF BEGINNING.

The above describes an area of approximately 520 square feet of easement area lying within the right-of-way of 10th Avenue South and south of Block 11, Tier 11, Plan of Naples.