

RESOLUTION NO. 2006-18

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, ACCEPTING AND APPROVING THE TERMS OF A UTILITY EASEMENT FROM TURTLE BEACH OF OCEAN RIDGE CONDOMINIUM ASSOCIATION, INC. AND AUTHORIZING THE PAYMENT OF CONSIDERATION SET FORTH THEREIN.

WHEREAS, the Town is desirous of concluding the South Phase Drainage Improvements; and

WHEREAS, in order to conclude the improvements it is necessary to relocate the control panel originally permitted for the FDOT right-of-way on the West side of State Road A1A; and

WHEREAS, Turtle Beach of Ocean Ridge Condominium Association, Inc., (“Association”) has offered to grant the Town a Utility Easement allowing the placement of the control panel on property located within the condominium development and owned by the Association; and

WHEREAS, the Association has offered to provide the Utility Easement, a copy of which is attached hereto as Exhibit “A”, pursuant to all of the terms and conditions contained therein; and

WHEREAS, the Town Commission of the Town of Ocean Ridge, Florida, has determined that it is in the best interest of the public safety, health and welfare of the residents of the Town of Ocean Ridge to accept and utilize the Utility Easement attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, THAT:

Section 1. Adoption of “Whereas” Clauses.

The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein.

Section 2. Acceptance of Utility Easement.

The Town Commission accepts the Utility Easement set forth as Exhibit “A” hereto and authorizes the payment of \$40,000 to the Association as set forth in Exhibit “A” in return for the granting of the Utility Easement.

Section 3. Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability

If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5. Effective Date

This Resolution becomes effective immediately upon its passage and adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

KENNETH M. KALEEL, Mayor	_____
GEOFFREY A. PUGH, Vice-Mayor	_____
DR. LYNN L. ALLISON, Commissioner	_____
ELISABETH P.B. BINGHAM, Commissioner	_____
NANCY L. HOGAN, Commissioner	_____

The Mayor thereupon declared this Resolution approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, this ____ day of _____, 20__.

TOWN OF OCEAN RIDGE, FLORIDA

By:

Kenneth M. Kaleel, Mayor

Attest: _____
Town Clerk

Legal in form and valid if enacted:

Town Attorney