



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 68-2021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO AND TO EXECUTE A SOVEREIGN SUBMERGED LANDS EASEMENT RENEWAL AND MODIFICATION TO REFLECT CHANGE IN OWNERSHIP WITH THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Florida Department of Transportation entered into Sovereignty Submerged Land Easement No.: 00017 (3830-43) for a period of thirty (30) years on October 27, 1987 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

WHEREAS, the above-referenced Easement allowed for the replacement of a bridge across Storm Creek located on Dixie Highway parallel to Haney Creek.

WHEREAS, the Easement was, “granted for public highway purposes only under the supervision of the State of Florida Department of Transportation or such county or city as may succeed jurisdiction over the highway.”

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Auth. to enter Easement Renewal for 00017 (3830-43)

WHEREAS, on June 6, 2012 the Florida Department of Transportation entered into a Roadway Transfer Agreement with the City of Stuart, Florida.

WHEREAS, the City of Stuart accepted all responsibility for operation and maintenance of the roadway described in the Roadway Transfer Agreement.

WHEREAS, the City of Stuart City Commission believes it is in the best interest of the City of Stuart and it desires to enter into a Sovereign Submerged Lands Easement Renewal and Modification to Reflect Change in Ownership with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

WHEREAS, the easement renewal is from October 27, 2017 through October 27, 2067.

WHEREAS, the parcel of land shall be used solely for public transportation purposes and the City of Stuart agrees to all responsibility and maintenance of that portion of Dixie Highway.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:

SECTION 1: The City Commission agrees to enter into the Sovereign Submerged Lands Easement Renewal and Modification to Reflect Change in Ownership with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

SECTION 2: Further, the Mayor is hereby authorized to accept and sign the Sovereign Submerged Lands Easement Renewal and Modification to Reflect Change in Ownership on behalf of the City of Stuart, Florida.

SECTION 3: This resolution shall take effect on adoption.

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

EULA R. CLARKE, MAYOR
MERRITT MATHESON, VICE MAYOR
BECKY BRUNER, COMMISSIONER
TROY MCDONALD, COMMISSIONER
MICHAEL J. MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 26th day of July, 2021.

ATTEST:

MARY R. KINDEL
CITY CLERK

EULA R. CLARKE
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY