

RESOLUTION 20__ - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA AUTHORIZING EXECUTION OF A SUBORDINATION OF UTILITIES AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING PROPERTY COMMONLY KNOWN AS PARCEL 116.2; DIRECTING THAT THE SIGNED RESOLUTION AND AGREEMENT BE FORWARDED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road 40, Section No. 36080, F.P. No. 410674-3 in Marion County, Florida; and

WHEREAS, it is necessary that certain easement rights presently owned by the City of Ocala, Florida, be subordinate to the rights of the State of Florida Department of Transportation; and

WHEREAS, said subordination is for transportation purposes which are in the public or community interest, is for the public welfare, and in the best interests of the City of Ocala; and

WHEREAS, the State of Florida Department of Transportation has made application to the City of Ocala to execute and deliver to the State of Florida Department of Transportation an *Agreement for Subordination of Utility Interests* in favor of the State of Florida Department of Transportation, and said request has been duly considered.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Ocala, Florida as follows:

Section 1. Adoption and Incorporation of Recitals.

The City Council of the City of Ocala, Florida adopts the above-outlined recitals and incorporates them herein as part and parcel of this resolution.

Section 2. Purpose and Authority for Resolution.

This resolution is adopted for the purpose of authorizing execution of the above-described *Agreement for Subordination of Utility Interests* and subsequent amendments thereto with the State of Florida Department of Transportation and is adopted pursuant to the authority granted by Chapters 166, 334 and 335, *Florida Statutes*.

Section 3. Designation of Signatory.

The City Council of the City of Ocala, Florida hereby designates the President of the City Council as the official who is authorized to sign the *Agreement for Subordination of Utility Interests* and subsequent amendments thereto with the State of Florida Department of Transportation.

Section 4. Direction to Staff.

A certified copy of this Resolution shall be forwarded to the State of Florida Department of Transportation at 719 South Woodland Blvd., Deland, Florida, 32720-6834 along with the executed *Agreement for Subordination of Utility Interests*.

Section 5. Effective Date of Resolution.

This resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED, with a quorum present and voting, by the City Council of the City of Ocala, Florida this _____ day of _____ 20_____.

CITY OF OCALA, FLORIDA,
a political subdivision of the State of Florida

By: KRISTEN M. DREYER, as
 City Council President

ATTEST:

APPROVED AS TO FORM / LEGALITY:

By: ANGEL B. JACOBS, City Clerk

By: WILLIAM E. SEXTON, City Attorney