

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AND RECORD THE ATTACHED "PARTIAL RELEASE AND EASEMENT MODIFICATION AGREEMENT" TO RELEASE 25 FEET OF AN EXISTING FLORIDA KEYS AQUEDUCT AUTHORITY (FKAA) EASEMENT ACROSS THE COLLEGE ROAD PROPERTY SLATED FOR THE GARDEN VIEW APARTMENTS PROJECT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS the City of Key West, the Housing Authority of the City of Key West (KWA), are partnering to develop a site located at 5220, 5224, 5228, and 5230 College Road in Key West as approximately 103 units of workforce affordable housing known as Garden View Apartments; and

WHEREAS, as part of the planning and development process, it has been determined that it is necessary to amend the 30-foot easement granted to the Florida Keys Aqueduct Authority (FKAA) in 1959, and recorded in Official Records Book 130, Pages 168-169, to accommodate a portion of the project and to convert the remaining 5-feet of the easement into a utility easement; and

WHEREAS, a new easement will be granted to FKAA under separate instrument, which would encumber an access road to the Garden View Apartments to provide ingress and egress to the FKAA leased property behind the Apartments, and allow use and maintenance of two new transmission lines previously installed; and

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

Section 1: That the Mayor is authorized to execute and record the attached "Partial Release and Easement Modification Agreement."

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Filed with the Clerk on \_\_\_\_\_, 2020.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK