

RESOLUTION NO. 96-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AUTHORIZING THE EXECUTION OF UTILITIES RELOCATION MASTER AGREEMENTS FOR THE ADJUSTMENT, CHANGE OR RELOCATION OF CERTAIN UTILITIES WITHIN THE RIGHT-OF-WAY LIMITS OF THE STATE HIGHWAY SYSTEM AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: The Florida Department of Transportation proposes to engage in certain projects for constructing, reconstructing or otherwise changing a portion of the State Highway System, which shall call for the location, protection, and/or relocation and adjustment of the City of Fort Myers utilities on said projects; and

WHEREAS: The plans for the said construction, reconstruction, or other changes are to be reviewed by the Florida Department of Transportation and the City of Fort Myers; and

WHEREAS: The Florida Department of Transportation has presented the City of Fort Myers with Utilities Relocation Master Agreements to circumvent the current necessity of processing a separate agreement for each individual state highway project involving the City of Fort Myers utilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

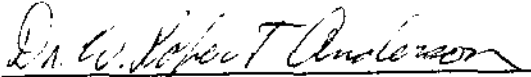
1. The Mayor and City Clerk be and they are hereby authorized and directed to make, execute and deliver to the Florida Department of Transportation, an Utilities Relocation Master Agreement (at the Department's expense) and an Utilities Relocation Master Agreement (at the utility Owners Expense).

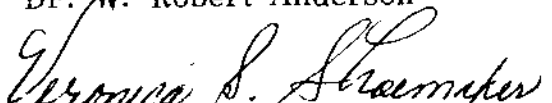
2. A certified copy of this resolution will be forwarded to the Florida Department of Transportation, Tallahassee, Florida.

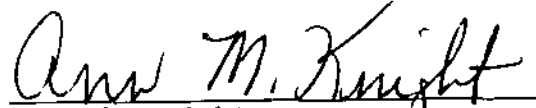
3. This resolution will become effective immediately upon adoption.

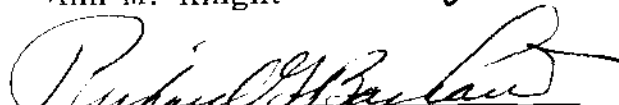
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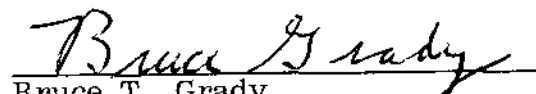
PASSED IN PUBLIC SESSION of the City Council of the City
of Fort Myers, Florida, this 7th day of October, A.D., 1996.


Dr. W. Robert Anderson



Veronica S. Shoemaker


Ann M. Knight

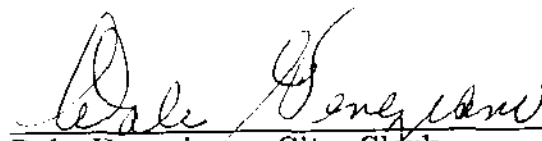

Richard G. Bashaw


Bruce T. Grady
Council Members

APPROVED this 7th day of October, A.D., 1996, at
7:36 o'clock p.m.


Wilbur C. Smith, III, Mayor

FILED in the Office of the City Clerk this 7th day of
October, 1996.


Dale Veneziano, City Clerk