

**RESOLUTION NO. 2015- 14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT CONVEYANCES OF EASEMENTS ON BEHALF OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, real property owners regularly grant easements to the City of Vero Beach (“City”) for purposes such as the location of City utility equipment and facilities, sidewalks, access to such improvements and facilities, and similar utility or public purposes; and

**WHEREAS**, the City’s requirements for and conveyance to the City of such easements is perfunctory in nature and merely grants the City limited rights to accomplish its municipal functions such as accessing and maintaining the City improvements located on such easement premises; and

**WHEREAS**, typically the City Attorney’s office, in conjunction with the Public Works Department and other pertinent City departments, prepares the necessary easement documents for execution by the subject real property owner pursuant to the needs of the affected City department and, as a matter of policy, prepares documentation for each such easement evidencing acceptance of the easement conveyance by the City; and

**WHEREAS**, such easements being limited in nature and application, it is more efficient and appropriate to provide for the City Manager to accept such easements and execute evidence of acceptance on behalf of the City rather than submitting each and every one of such easements to the City Council of the City of Vero Beach (“City Council”) for acceptance; and

**WHEREAS**, the City Council finds that providing for acceptance of easements by the City Manager on behalf of the City improves efficiency in City administration, serves a municipal purpose, and is in the best interest of the public,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:**

**Section 1 – Adoption of “Whereas” clauses.**

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution.

**Section 2 – City Manager Authorized to Accept Easements.**

The City Manager is hereby authorized to accept conveyances to the City of utility and other public easements and execute any documents necessary to evidence acceptance of such conveyances on behalf of the City.

**Section 3 – Limitation on Authority.**

The acceptance of all conveyances to the City of interests in real property other than easements shall be approved by the City Council and evidence of such acceptance executed as directed by the City Council or otherwise provided in the Code of the City of Vero Beach.

**Section 4 – Effective Date.**

This Resolution shall become effective upon adoption by the City Council.

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This Resolution was heard on the 19<sup>th</sup> day of May 2015, after which hearing it was moved for adoption by Councilmember Kramer, seconded by Councilmember Winger, and adopted by the following vote of the City Council:

Mayor Richard G. Winger	<u>yes</u>
Vice Mayor Jay Kramer	<u>yes</u>
Councilmember Pilar E. Turner	<u>yes</u>
Councilmember Amelia Graves	<u>yes</u>
Councilmember Randolph B. Old	<u>yes</u>

ATTEST:

Tammy K. Vock  
Tammy K. Vock  
City Clerk

CITY COUNCIL  
CITY OF VERO BEACH, FLORIDA  
Richard G. Winger  
Richard G. Winger  
Mayor

Approved as to form and legal sufficiency:

Wayne R. Coment  
Wayne R. Coment  
City Attorney

Approved as conforming to municipal policy:

James R. O'Connor  
James R. O'Connor  
City Manager