

RESOLUTION NO. 2006- 107

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE PUBLIC PURPOSE OF AND PUBLIC NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAIN TO ACQUIRE THE PROPERTY OF INTERCOASTAL UTILITIES, INC. FOR THE OPERATION OF A COUNTY UTILITY; AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS.

WHEREAS, the County of St. Johns ("County") is authorized to exercise the right and power of eminent domain for certain public uses and purposes; and

WHEREAS, the County's exercise of the power of eminent domain to condemn property for purposes of the acquisition and operation of a county utility is a proper public purpose;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida that:

Section 1. Declaration of Public Purpose and Necessity. The County declares the public purpose of and public necessity for acquiring, through condemnation by right of eminent domain, all real and personal property of Intercoastal Utilities, Inc. necessary for the operation of a county utility.

Section 2. Acquisition of Real and Personal Property. The County is authorized to acquire, through condemnation by right of eminent domain, all real and personal property of Intercoastal Utilities, Inc. necessary for the operation of a County utility, and is authorized to join any other persons required by law to be joined in such proceedings.

Section 3. Institution of Legal Proceedings. The County Attorney is authorized to institute legal proceedings to acquire, through condemnation by right of eminent domain, all real and personal property of Intercoastal Utilities, Inc. necessary for the operation of a County utility and is authorized to join any other persons required by law to be joined in such proceedings. The County Attorney is authorized to employ outside counsel to assist in the acquisition as necessary.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida this 4th day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
JAMES E. BRYANT, Chairman

ATTEST: Cheryl Strickland, Clerk

By: Patricia DeGrande
Patricia DeGrande Deputy Clerk

Effective Date: 4-4-06

RENDITION DATE 4-6-06