

RESOLUTION No. 98-55

A RESOLUTION TO AUTHORIZE PURCHASE OF UTILITY EASEMENTS  
AS NEEDED FOR CONSTRUCTION  
OF THE GRASSY BRANCH INTERCEPTOR,  
PHASE 2 (NORTH) AND PHASE THREE (SOUTH)  
FOR \$10,000/ACRE FOR PERMANENT EASEMENTS  
AND 12% OF \$10,000/ACRE FOR TEMPORARY EASEMENTS  
AND FURTHER, TO ESTABLISH A RECORDED POLICY  
FOR ASSESSMENTS AGAINST FUTURE DEVELOPMENT  
OF ALL PROPERTIES NOT YET ANNEXED, OF A PORTION  
OF THE TOTAL COST OF CONSTRUCTION  
OF THE INTERCEPTOR HAVING BEEN CONSTRUCTED  
ON SUCH INDIVIDUAL PROPERTIES

Whereas, time is of the essence in commencing bidding and construction of the Grassy Branch Interceptor Phase 1 and 2, and

Whereas, an easement purchase price has been established by precedent, bearing a close relationship to fair market price for the area, for utility easements, both permanent and temporary, and

Whereas, plans are being completed with the intent of having bids received for consideration at the regular meeting in October 19, 1998, and

Whereas, it is also the desire of the governing Board to have future developers of presently non annexed property pay the equivalency of an eight inch sewer line with appurtenances for the length of construction on their individual properties

THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN of the Town of Spring Hill that the Mayor and City Recorder are authorized, empowered and directed to purchase utility easements as may be necessary to be acquired for the construction of phases 1 and 2 of the Grassy Branch Interceptor at the rate of \$10,000 per acre for the permanent easement and 12% of this amount for the temporary easement, and

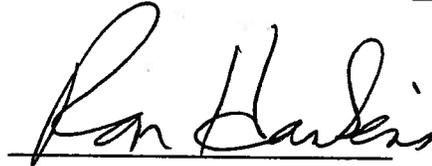
Be it further resolved that condemnation of the easements shall be done if the purchase offer is rejected by the owner or if no answer is received within 10 days of receipt of the certified letter from the Town to the owner listing the offered price, and

Be it further resolved that future developers and/or owners of presently non annexed properties will be required to pay the equivalent cost, at the time of annexation request, of an eight inch line interceptor of same length as the interceptor actually constructed on the property as well as all appurtenances necessary for the interceptor, and

Be it further resolved that the equivalent cost of an eight inch collector line with appurtenances shall be established as the construction costs, as shown in a standard industry text for the place and year in which the request for annexation and sewer service is made, and further, the standard text used will be the most recent (at time of development review) annual edition of "R.S. Means Site Work and Landscape Cost Data" or another means of cost determination as mutually agreed between developer/owner and city officials, and

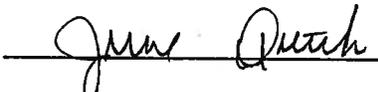
Be it further resolved that the city administrator is authorized, empowered and directed to prepare and have recorded, with the register of deeds of the county, in addition to the acquired easements for these non annexed properties, a document stipulating that this special assessment may be levied as a condition both of being annexed and of being served by the sewer line on the property.

Passed and adopted by the Board of Mayor and Aldermen on the 21st day of September, 1998.



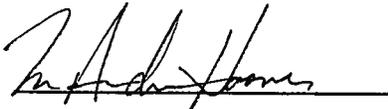
RON HANKINS, MAYOR

ATTEST:



JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:



M. ANDREW HOOVER, ATTORNEY

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