

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of August 6, 2009

TO: The Honorable Jeff Danner, Chair and Members of City Council

SUBJECT: Authorizing the Mayor, or his Designee, to execute a Subordination Agreement with the Florida Department of Transportation ("FDOT") to subordinate the City of St. Petersburg's interest in a portion of a platted public utility easement within property owned by St. Anthony's Hospital located on 5th Avenue North between 10th Street and Jackson Street North associated with FDOT's Roadway Improvement Project 416851-1; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: The Florida Department of Transportation ("FDOT") has requested the City of St. Petersburg ("City") to subordinate a portion of a platted public utility easement within property owned by St. Anthony's Hospital located on 5th Avenue North between 10th Street and Jackson Street North associated with FDOT's Roadway Improvement Project 416851-1 ("Project").

The Project does not require the City to remove or relocate any utilities, but does involve construction activity within the City's easement. The portion of the easement to be subordinated is 15 ft. wide and 5 ft. deep, containing 75 sq. ft.

The Subordination Agreement was developed with the City's Legal Department and FDOT to maintain essential City easement rights. The Subordination Agreement also provides that in the event the City's facilities need to be relocated at a future time, the cost associated with such relocation will be at FDOT's expense.

RECOMMENDATION: Administration recommends that City Council authorize the Mayor, or his Designee, to execute a Subordination Agreement with the Florida Department of Transportation ("FDOT") to subordinate the City of St. Petersburg's interest in a portion of a platted public utility easement within property owned by St. Anthony's Hospital located on 5th Avenue North between 10th Street and Jackson Street North associated with FDOT's Roadway Improvement Project 416851-1; and to execute all documents necessary to effectuate same.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

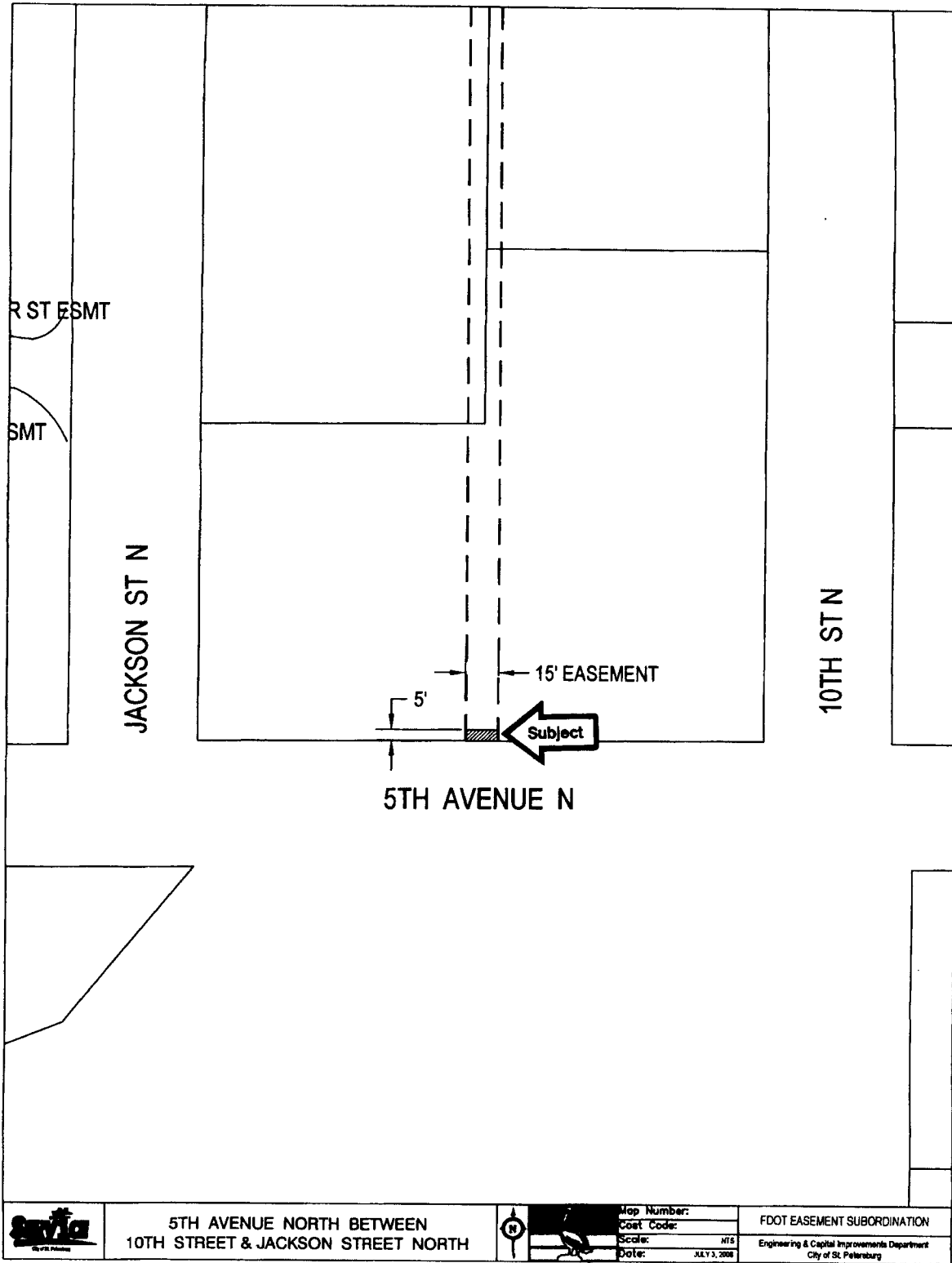
APPROVALS: Administrative: R. Mussett 7-17-09 36

Budget: N/A

Legal: RJS

(As to consistency w/attached legal documents)

ILLUSTRATION



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A SUBORDINATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO SUBORDINATE THE CITY OF ST. PETERSBURG'S INTEREST IN A PORTION OF A PLATTED PUBLIC UTILITY EASEMENT WITHIN PROPERTY OWNED BY ST. ANTHONY'S HOSPITAL LOCATED ON 5TH AVENUE NORTH BETWEEN 10TH STREET AND JACKSON STREET NORTH ASSOCIATED WITH FDOT'S ROADWAY IMPROVEMENT PROJECT 416851-1; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation ("FDOT") has requested the City of St. Petersburg ("City") to subordinate a portion of a platted public utility easement within property owned by St. Anthony's Hospital located on 5th Avenue North between 10th Street and Jackson Street North associated with FDOT's Roadway Improvement Project 416851-1 ("Project"); and

WHEREAS, the Project does not require the City to remove or relocate any utilities, but does involve construction activity within the City's easement; and

WHEREAS, the portion of the easement to be subordinated is 15 ft. wide and 5 ft. deep, containing 75 sq. ft.; and

WHEREAS, the Subordination Agreement was developed with the City's Legal Department and FDOT to maintain essential City easement rights; and

WHEREAS, the Subordination Agreement also provides that in the event the City's facilities need to be relocated at a future time, the cost associated with such relocation will be at FDOT's expense.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a Subordination Agreement with the Florida Department of Transportation ("FDOT") to subordinate the City of St. Petersburg's interest in a portion of a platted public utility easement within property owned by St. Anthony's Hospital located on 5th Avenue North between 10th Street and Jackson Street North associated with FDOT's Roadway Improvement Project 416851-1; and to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:



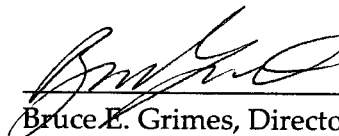
City Attorney (Designee)

APPROVED BY:



Thomas B. Gibson, Director
Engineering Department

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management