

RESOLUTION R-04-301

A RESOLUTION OF NECESSITY AND FOR EMINENT DOMAIN PROCEEDINGS FOR THE PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING, INSTALLING, IMPROVING, AND MAINTAINING THE PUBLIC RECLAIMED WATER TRANSMISSION MAIN PIPELINE SYSTEM IN MANATEE COUNTY, FLORIDA.

**PHASE I
MANATEE AGRICULTURAL REUSE SUPPLY (MARS)
NORTH TO SOUTHEAST RECLAIMED WATER TRANSMISSION MAIN
PARCEL 103A
(PROJECT NO. 6022590)**

WHEREAS, Manatee County is a political subdivision of the State of Florida, and is authorized under Chapters 73, 74, and 127, Florida Statutes, to acquire interests in privately owned lands which are necessary for the public use; and

WHEREAS, Manatee County has determined that Phase I - MARS, North to Southeast Reclaimed Water Transmission Main, must be constructed for the purpose of the transmission of agricultural reclaimed water in and about Manatee County by means of a reclaimed water transmission main, on the surface or below the surface of the ground, and that additional land is needed for the construction, reconstruction, widening, repairing, and maintaining of a reclaimed water transmission main that will interconnect the North reclaimed water service area to the Southeast Regional Wastewater Treatment Plant (SERWTP), allowing Manatee County to route reclaimed water from the treatment sources to agricultural areas, and for other right-of-way purposes; and

WHEREAS, Manatee County has determined that it is necessary to acquire or utilize portions of property adjacent to or within the planned corridor of the above-described reclaimed water transmission main; and

WHEREAS, the owners of said land have been or may be unwilling or unable to sell the real property needed by Manatee County; and

WHEREAS, the construction of the project will be impeded unless the property is acquired by Manatee County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that the Manatee County Transportation and Project Management Departments are authorized to employ the services of the County Attorney, or retained counsel assigned by the County Attorney, to commence and to prosecute eminent domain proceedings to acquire the necessary interest in the aforementioned property, which property is more particularly described in Schedule 1 which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Manatee County, Florida, after having considered safety of the public, cost of acquiring the right-of-way, alignment, long-term planning, and environmental factors in acquiring and utilizing the property, hereby finds and determines that the acquisition of the following interests are necessary as to the real property described in the attached Schedule 1:

Parcel No.

Interest to be Acquired

103A

Fee Simple Title

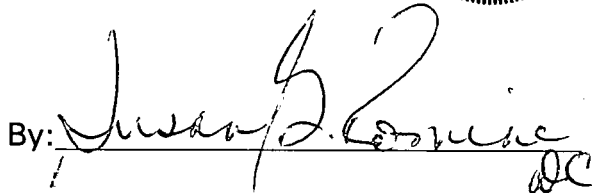
ADOPTED with a quorum present and voting this 30th day of November,
2004.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: 
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court



By: 
dc