

**RESOLUTION NO. 05- 39**

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, AUTHORIZING THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION OF EXISTING POTABLE WATER AND SANITARY SEWER FACILITIES WITHIN THE S.R. 60 INTERIM INTERSECTION IMPROVEMENTS AT US 19 PROJECT, PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the State of Florida Department of Transportation, hereinafter referred to as DOT, proposes to construct or improve SR 60 Interim Intersection Improvements at US 19, hereinafter referred to as the "Project"; and

**WHEREAS**, in order for the DOT to proceed with their Project, it is necessary for the City of Clearwater to execute and deliver to DOT the agreement identified as "Utility Work by Highway Contractor Agreement," hereinafter referred to as the "Agreement"; and

**WHEREAS**, said Agreement is in the best interest of the City of Clearwater.

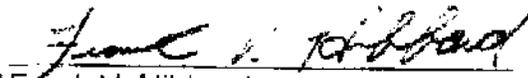
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CLEARWATER, FLORIDA:**

**Section 1.** That the application of the State of Florida Department of Transportation for a Utility Work By Highway Contractor Agreement is for transportation purposes which are in the public or community interest and for public welfare; that an agreement of utility interest, or interests, in favor of the State of Florida Department of Transportation, in the City of Clearwater, Florida, should be drawn and executed by the City Commission.

**Section 2.** A certified copy of this Resolution shall be forwarded forthwith to the State of Florida Department of Transportation at Tallahassee, Florida.

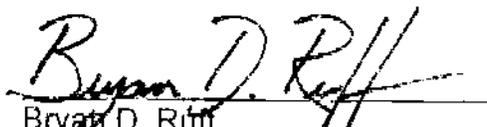
**Section 3.** This resolution shall take effect immediately upon adoption.

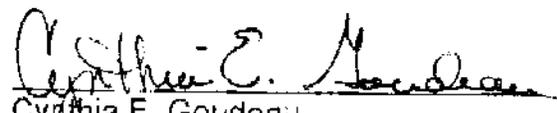
PASSED AND ADOPTED this 15th day of September, 2005.

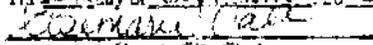
  
Frank V. Hibbard  
Mayor-Councilmember

Approved as to form:

Attest:

  
Bryan D. Ruff  
Assistant City Attorney

  
Cynthia E. Goudeau  
City Clerk

I hereby certify that this is a true and correct copy of the original as it appears in the files of the City of Clearwater. Witness my hand and official seal of the City of Clearwater.  
This 15th day of September, 2005  
  
Deputy City Clerk