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RESOLUTION NO. R2017-36

**A RESOLUTION OF WELLINGTON, FLORIDA’S COUNCIL
APPROVING AND AUTHORIZING THE MAYOR TO
EXECUTE THE RIGHT-OF-WAY CONSENT AGREEMENT
BETWEEN WELLINGTON AND FLORIDA POWER & LIGHT
COMPANY (FP&L) REGARDING THE USE OF
EASEMENTS LANDS FOR BICYCLE AND PEDESTRIAN
PURPOSES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Power and Light Company (FP&L), a utility company, is the holder of certain utility easement, as Recorded in the Official Records Books of Palm Beach County, Florida; and

WHEREAS, FP&L has the authority to review and approve “uses” on lands encumbered by these utility easements; and

WHEREAS, the Village of Wellington, Florida (Wellington), a Florida local government created under Chapter 95-496, Laws of Florida sought authorization and approval from FP&L to construct and maintain a paved bicycle and pedestrian pathway on lands encumbered by these easements of record; and

WHEREAS, Wellington agrees to the conditions set forth in the RIGHT-OF-WAY CONSENT AGREEMENT as attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA’S COUNCIL THAT:

SECTION 1. The foregoing recitals are hereby affirmed and ratified as being true and correct.

SECTION 2. The Wellington Council hereby approves the RIGHT-OF-WAY CONSENT AGREEMENT with the Florida Power and Light Company (FP&L) relating to the construction and maintenance of an asphalt pathway, as attached hereto as Exhibit “A”, and hereby authorizes the Mayor to execute the Agreement.

SECTION 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of August, 2017.

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ATTEST:

By: _____
Chevelle D. Nubin, Village Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Laurie Cohen, Village Attorney

WELLINGTON

By: _____
Anne Gerwig, Mayor