CITY OF BROOKSVILLE
SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
AGENDA

February 11, 2008 **6:00 P.M.**

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. Hernando County Fair Association Property Acquisition

Consideration of settlement negotiations or adoption of Resolution No. 2008-05 to proceed with acquisition of property through eminent domain procedures.

Presentation:	City Attorney
Recommendation:	Approval on First Reading upon roll call vote
Action:	Motion to Approve
Attachment:	Resolution

D. ADJOURNMENT

Meeting agendas and supporting documentation are available from the City Clerk's office, and online at www.ci.brooksville.fl.us. Persons with disabilities needing assistance to participate in any proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/544-5407.

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AGENDA ITEM NO. C

RESOLUTION NO. 2008-05 SPECIAL MTG. 2/11/08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, AUTHORIZING THE ACQUISITION, BY EMINENT DOMAIN, AND IN ADVANCE OF FINAL JUDGMENT, OF LANDS LOCATED IN HERNANDO COUNTY, FLORIDA, WHICH ARE NECESSARY FOR THE ACQUISITION OF THE RIGHT-OF-WAY FOR THE S.R.50-U.S.41 COLLECTOR ROAD, PER THE 1ST AMENDMENT TO THE CITY OF BROOKSVILLE, FLORIDA DEVELOPMENT AGREEMENT FOR THE HAMPTION RIDGE PROJECT, DATED OCTOBER 18, 2004.

WHEREAS, the City of Brooksville has determined that the acquisition of the right-of-way for the construction of the roadway associated with the north-south section of the S.R.50-U.S.41 Collector Road is necessary for the public health, welfare and safety; and

WHEREAS, the City of Brooksville City Council finds that there is a necessity to acquire, by eminent domain, the property described herein for the construction of said roadway;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooksville, Florida, as follows:

SECTION 1. Authorization to Condemn.

The City Manager and City Attorney are hereby authorized to acquire, and to initiate condemnation proceedings to acquire by eminent domain if necessary, the following described properties, all being located in Hernando County, Florida:

Parcel 1:

A PARCEL OF LAND LYING IN AND BEING A PART OF SECTION 33, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE OF THE PROPOSED NORTH/SOUTH COLLECTOR ROAD AND SOUTHWESTERLY OF MAGNOLIA CREEK AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE ALONG THE WEST BOUNDARY OF SAID SOUTHEAST 1/4 N 00° 21' 13" W A DISTANCE OF 137.72 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID NORTH/SOUTH COLLECTOR ROAD, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 2160.00 FEET, A DELTA OF 08° 52' 11", A CHORD DISTANCE OF 334.05 FEET AND A CHORD BEARING OF N 43° 55' 07" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 334.38 FEET TO THE NORTHEASTERLY LINE OF MAGNOLIA CREEK; THENCE ALONG SAID NORTHEASTERLY LINE N 78° 57' 17" E A DISTANCE OF 11.55 FEET; THENCE S 38° 27' 51" W A DISTANCE OF 76.81 FEET; THENCE S 42° 21' 29" E A DISTANCE OF 20.39 FEET; THENCE S 04° 32' 06" W A DISTANCE OF 67.79 FEET; THENCE S 34° 57' 36" E A DISTANCE OF 40.71 FEET; THENCE S 00° 32' 30" W A DISTANCE OF 50.83 FEET; THENCE S 54° 18' 37" E A DISTANCE OF 13.98 FEET; THENCE S 30° 38' 48" E A DISTANCE OF 10.22 FEET; THENCE S 64° 54' 44" E A DISTANCE OF 13.47 FEET; THENCE N 74° 17' 41" E A DISTANCE OF 11.56 FEET; THENCE N 07° 52' 32" E A DISTANCE OF 15.96 FEET; THENCE N 37' 48' 56" E A DISTANCE OF 8.76 FEET; THENCE S 41° 43' 26" E A DISTANCE OF 14.76 FEET; THENCE S 63° 19' 21" E A DISTANCE OF 40.36 FEET; THENCE S 41° 49' 44" E A DISTANCE OF 28.00 FEET; THENCE S 85° 24' 41" E A DISTANCE OF 25.09 FEET; THENCE S 22° 03' 41" W A DISTANCE OF 13.10 FEET; THENCE S 05° 45' 08" W A DISTANCE OF 18.08 FEET; THENCE S 73° 29' 03" E A DISTANCE OF 16.10 FEET; THENCE N 52° 24' 01" E A DISTANCE OF 11.28 FEET; THENCE N 83' 36' 43" E A DISTANCE OF 21.00 FEET; THENCE S 22° 37' 04" E A DISTANCE OF 30.84 FEET; THENCE N 76° 32' 53" E A DISTANCE OF 44.96 FEET; THENCE S 69° 57' 56" E A DISTANCE OF 40.12 FEET; THENCE S 87° 31' 49" E A DISTANCE OF 19.60 FEET; THENCE S 56° 53' 59" E A DISTANCE OF 21.68 FEET; THENCE EAST A DISTANCE OF 19.94 FEET; THENCE S 30° 10' 15" E A DISTANCE OF 24.91 FEET; THENCE S 56° 22' 33" E A DISTANCE OF 25.92 FEET TO A POINT ON SOUTH

BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE ALONG SAID SOUTH BOUNDARY S 89° 53′ 55″ W A DISTANCE OF 586.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.97 ACRES, MORE OR LESS.

SECTION 2. Necessity.

The City Council finds that the acquisition of the lands described herein is reasonably necessary for the acquisition of the right-of-way for the construction of the roadway associated with the north-south section of the S.R.50-U.S.41 Collector Road.

SECTION 3. Taking in Advance of Final Judgment.

The City Manager and City Attorney are hereby authorized to initiate the condemnation proceeding authorized hereby under and pursuant to the provisions of Florida Statutes, Chapter 74, to acquire title and possession in advance of final judgment. For such purposes, the City Council finds that the following amounts constitute good faith estimates of value for the property to be taken:

Parcel 1: $126,345.00

SECTION 4. Survey.

The area of the City's construction for the roadway construction for which this acquisition is necessary has been surveyed.

SECTION 5. Effective Date.

This Resolution shall take effect immediately upon its adoption by the Brooksville City Council.

PASSED AND ADOPTED this ___ day of _____, 2008.

City of Brooksville

_____
David Pugh
Mayor

ATTEST: _____
Karen M. Phillips, CMC
City Clerk

VOTE OF COUNCIL:

Pugh ___
Burnett ___
Bernardini ___
Bradburn ___
Lewis ___

APPROVED AS TO FORM AND CONTENT FOR THE RELIANCE OF THE CITY OF BROOKSVILLE ONLY:

_____
Thomas S. Hogan, Jr.
City Attorney

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EXHIBIT "B"

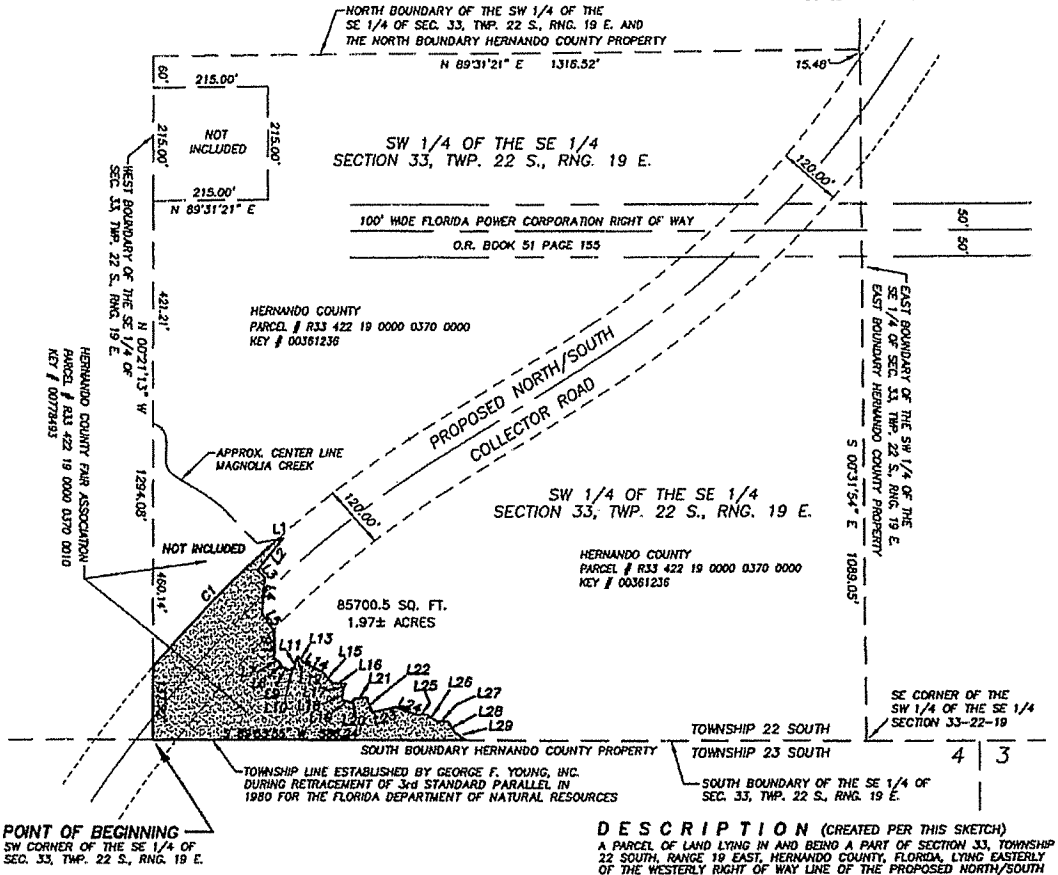
SECTION 33, TOWNSHIP 22 SOUTH, RANGE 19 EAST
HERNANDO COUNTY, FLORIDA
SKETCH OF DESCRIPTION
* NOT A BOUNDARY SURVEY *

N O T E:
BEARINGS SHOWN HEREON BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE

N W E S

0' 200' 400' 600'

SCALE: 1" = 200'



POINT OF BEGINNING
SW CORNER OF THE SE 1/4 OF SEC. 33, TWP. 22 S., RNG. 19 E.

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2160.00'	08°52'11"	334.38'	334.05'	N 43°55'07" E

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 78°57'17" E	11.55'
L2	S 38°27'51" W	76.81'
L3	S 42°21'29" E	20.39'
L4	S 04°32'06" W	87.78'
L5	S 34°57'36" E	40.71'
L6	S 00°32'30" W	50.83'
L7	S 54°18'37" E	13.98'
L8	S 30°38'48" E	10.22'
L9	S 64°54'44" E	13.47'
L10	N 74°17'41" E	11.56'
L11	N 07°52'32" E	15.96'
L12	N 37°46'56" E	8.76'
L13	S 41°43'26" E	14.76'
L14	S 63°19'21" E	40.36'
L15	S 41°49'44" E	28.00'

LINE TABLE

LINE	BEARING	DISTANCE
L16	S 85°24'41" E	25.09'
L17	S 22°03'41" W	13.10'
L18	S 05°45'08" W	18.08'
L19	S 73°29'03" E	16.10'
L20	N 52°24'01" E	11.28'
L21	N 83°36'43" E	21.00'
L22	S 22°37'04" E	30.84'
L23	N 76°32'53" E	44.96'
L24	S 69°57'56" E	40.12'
L25	S 87°31'49" E	19.80'
L26	S 56°53'59" E	21.68'
L27	EAST	19.94'
L28	S 30°10'15" E	24.91'
L29	S 56°22'33" E	25.92'

DESCRIPTION (CREATED PER THIS SKETCH)

A PARCEL OF LAND LYING IN AND BEING A PART OF SECTION 33, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE OF THE PROPOSED NORTH/SOUTH COLLECTOR ROAD AND SOUTHWESTERLY OF MAGNOLIA CREEK AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE ALONG THE WEST BOUNDARY OF SAID SOUTHEAST 1/4 N 00° 21' 13" W A DISTANCE OF 137.72 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID NORTH/SOUTH COLLECTOR ROAD, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 2160.00 FEET, A DELTA OF 08° 52' 11", A CHORD DISTANCE OF 334.05 FEET AND A CHORD BEARING OF N 43° 55' 07" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 334.38 FEET TO THE NORTHEASTERLY LINE OF MAGNOLIA CREEK; THENCE ALONG SAID NORTHEASTERLY LINE N 78° 57' 17" E A DISTANCE OF 11.55 FEET; THENCE S 38° 27' 51" W A DISTANCE OF 76.81 FEET; THENCE S 42° 21' 29" E A DISTANCE OF 20.39 FEET; THENCE S 04° 32' 06" W A DISTANCE OF 87.79 FEET; THENCE S 34° 57' 36" E A DISTANCE OF 40.71 FEET; THENCE S 00° 32' 30" W A DISTANCE OF 50.83 FEET; THENCE S 54° 18' 37" E A DISTANCE OF 13.98 FEET; THENCE S 30° 38' 48" E A DISTANCE OF 10.22 FEET; THENCE S 64° 54' 44" E A DISTANCE OF 13.47 FEET; THENCE N 74° 17' 41" E A DISTANCE OF 11.56 FEET; THENCE N 07° 52' 32" E A DISTANCE OF 15.96 FEET; THENCE N 37° 46' 56" E A DISTANCE OF 8.76 FEET; THENCE S 41° 43' 26" E A DISTANCE OF 14.76 FEET; THENCE S 63° 19' 21" E A DISTANCE OF 40.36 FEET; THENCE S 41° 49' 44" E A DISTANCE OF 28.00 FEET; THENCE S 85° 24' 41" E A DISTANCE OF 25.09 FEET; THENCE S 22° 03' 41" W A DISTANCE OF 13.10 FEET; THENCE S 05° 45' 08" W A DISTANCE OF 18.08 FEET; THENCE S 73° 29' 03" E A DISTANCE OF 16.10 FEET; THENCE N 52° 24' 01" E A DISTANCE OF 11.28 FEET; THENCE N 83° 36' 43" E A DISTANCE OF 21.00 FEET; THENCE S 22° 37' 04" E A DISTANCE OF 30.84 FEET; THENCE N 76° 32' 53" E A DISTANCE OF 44.96 FEET; THENCE S 69° 57' 56" E A DISTANCE OF 40.12 FEET; THENCE S 87° 31' 49" E A DISTANCE OF 19.80 FEET; THENCE S 56° 53' 59" E A DISTANCE OF 21.68 FEET; THENCE EAST A DISTANCE OF 19.94 FEET; THENCE S 30° 10' 15" E A DISTANCE OF 24.91 FEET; THENCE S 56° 22' 33" E A DISTANCE OF 25.92 FEET TO A POINT ON SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE ALONG SAID SOUTH BOUNDARY S 89° 53' 55" W A DISTANCE OF 586.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.97 ACRES, MORE OR LESS.

Coastal engineering associates, inc.
Engineering Planning Surveying Environmental Construction Management
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-9423 - Fax (352) 799-8359
EB-0000142
FLORIDA CERTIFICATE OF AUTHORIZATION NO. 7200

DRAWING INVALID UNLESS SIGNED, DATED & SEALED BY REGISTERED PROFESSIONAL

MARCUS N. HALL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 6276

SKETCH OF DESCRIPTION

PREPARED FOR AND CERTIFIED TO:
CITY OF BROOKSVILLE

DATE
03-06-07

04415