RESOLUTION 08-11921

A RESOLUTION ACCEPTING A BILL OF SALE FOR THE TRANSFER OF SANITARY SEWER INFRASTRUCTURE FROM THE CITY OF NAPLES AIRPORT AUTHORITY; AUTHORIZING THE MAYOR TO EXECUTE BILL OF SALE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Naples Airport is operated by the Naples Airport Authority on land leased from the City of Naples; and

WHEREAS, the Naples Airport Authority is in the process of replacing old septic disposal systems with newly constructed sanitary sewer infrastructure that will deliver waste water to the City's processing facility; and

WHEREAS, the sanitary sewer infrastructure was built by the Naples Airport Authority in accordance with their 2004 Airport Layout Master Plan and the City Council-approved 2006 Airport Utilization Plan; and

WHEREAS, the sewer system has been inspected by City staff and has been determined to meet all development requirements; and

WHEREAS, the Naples Airport Authority has provided all documentation necessary to fully convey the sanitary sewer infrastructure;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the "Bill Of Sale" is hereby accepted for the transfer of sanitary sewer infrastructure from the City of Naples Airport Authority, a copy of which is attached hereto and incorporated herein.

Section 2. That the Mayor is hereby authorized to execute the Bill of Sale.

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


Bill Barnett, Mayor

Attest:

Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 2/12/08
Resolution 08-11921

BILL OF SALE

This BILL OF SALE evidencing the sale and conveyance of the utility facilities described herein is made this day of , 2007, by City of Naples Airport Authority (hereinafter referred to as "SELLER"), and City of Naples, its successors and assigns, (hereinafter referred to as "BUYER").

WITNESSETH:

That said SELLER, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration to said SELLER in hand paid by the said BUYER, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred, set over and delivered to BUYER and the Buyer's successors and assigns forever, all those certain water and sewer utility facilities. BUYER agrees to operate and maintain said utilities, lying within the following described land, situate, lying and being in Collier County, Florida, to wit:

(See Exhibit “A” attached hereto and incorporated by reference herein).

The SELLER, for itself and its successors, hereby covenants to and with the BUYER and its successors and assigns that it is the lawful owner of the said goods and chattels herein referred to as utility facilities; that it has good right, title and authority to sell same, and that it will warrant and defend the same against the lawful claims and demands of all persons whomsoever. SELLER makes no other covenants or warranties. SELLER and BUYER are used for singular or plural, as the context requires.

IN WITNESS WHEREOF, SELLER has caused these present to be executed the date and year above written.

Signed and delivered
In our presence:

[Signatures]
Witness

[Signatures]
Witness

F. Joseph McMackin III
Counsel for the Authority

Approved as to form and legality

[Signature]
Robert D. Pett, City Attorney

Attest:

[Signature]
Tara A. Norman, City Clerk
Exhibit "A"

The property described as the Taxilane E Utilities is generally located in the South one-half of Section 35, Township 49 South, and Range 25 East, less road rights-of-way.