

ECUA GENERAL RESOLUTION NO. GR20-41

A GENERAL RESOLUTION AUTHORIZING THE WATER/SEWER INFRASTRUCTURE AND UTILITY EASEMENTS ASSOCIATED WITH THE DEVELOPMENT OF THE BAPTIST HOSPITAL NEW CAMPUS TO BE NO LONGER USEFUL, NECESSARY, OR PROFITABLE IN THE OPERATION OF THE UTILITY SYSTEMS OF THE EMERALD COAST UTILITIES AUTHORITY; APPROVING AND CONCURRING IN THE FINDINGS OF THE EXECUTIVE DIRECTOR; DECLARING THE EASEMENT TO BE SURPLUS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE EMERALD COAST UTILITIES AUTHORITY:

WHEREAS, Baptist Hospital (hereinafter "Baptist") is in the design stages of relocating its main hospital from downtown Pensacola to an approximately 53-acre area generally situated southwest of the intersection of Interstate-110 and Brent Lane, more specifically shown on the attached Exhibit A; and

WHEREAS, the Emerald Coast Utilities Authority (hereinafter "ECUA") owns and maintains approximately 3,700± linear feet of water infrastructure and 3,200± linear feet of sewer infrastructure in the area to be developed for the new hospital which formerly served 36 lots that are now owned by Baptist; and

WHEREAS, to accommodate the new hospital campus, Baptist has demolished and removed the buildings on those parcels and also plans to remove roadways and other infrastructure within the limits of its campus, including ECUA water and sewer facilities which no longer serve those former customers; and

WHEREAS, ECUA staff has determined that certain ECUA infrastructure within the limits of the Baptist new campus can safely be abandoned and removed without affecting any upstream or downstream customers (hereinafter the "Infrastructure"); and

WHEREAS, the rights-of-way in the area have already been vacated by the City of Pensacola, thus all the infrastructure on the site exists within easements on private property per City Ordinance 07-20 and other easements granted to ECUA and recorded in Official Records Book 2349 Page 368, and to the City of Pensacola in Official Records Book 560 Page 740, and subsequently assigned to ECUA in Official Records Book 1687 Page 804, all of the public records of Escambia County (hereinafter the "Easements"); and

WHEREAS, subsequent to the proposed infrastructure abandonment, the easements will be unoccupied and no longer serving a purpose to ECUA and will ultimately encumber the Baptist property; and

WHEREAS, as a result of the new campus development, approximately 350 linear feet of gravity sewer main located on Corday Street outside of the Baptist new campus project limits will now only serve one customer, Pensacola Christian College, (hereinafter "PCC"), and will be rerouted to a private lift station owned and operated by PCC; and

WHEREAS, ECUA believes the value of the infrastructure may be greater than \$100,000 and the value of the easements is not to be in excess of \$100,000; and

WHEREAS, ECUA believes the infrastructure and easements should be declared surplus; and

WHEREAS, the rerouting of PCC's flow to their own private lift station will facilitate the future abandonment of ECUA Lift Station No. 90 located on Salina Street, and the cost avoidance of maintaining and replacing the ECUA lift station in the future will offset the value several times over of the infrastructure and easements that have been declared surplus.

NOW THEREFORE, be it resolved by the Emerald Coast Utilities Authority:

SECTION 1. Declaration of Surplus. Having approved and concurred in the findings of the Executive Director, ECUA hereby declares the infrastructure and easements to be surplus property of the ECUA and authorizes (1) the abandonment and removal of infrastructure within the Baptist project limits, (2) the abandonment of the 350-foot gravity main on Corday Street that is outside the limits of the Baptist site, (3) the donation of the 350-foot gravity main to PCC for private ownership and maintenance, and also (4) authorizes the Executive Director to vacate the easements.

SECTION 2. This General Resolution shall take effect upon adoption.

Approved as to form:

Adopted on:

/s/ Robert O. Beasley

ECUA General Counsel

ATTEST:

Amanda Miller, Administrative Coordinator

Lois Benson, Board Chairman

Date: September 22, 2020
Account Number:
Amount:
Type of Resolution: General Resolution

EXPLANATION TO ECUA BOARD

Originating Department: Engineering

PURPOSE: The purpose of this Board item and Resolution is to obtain Board concurrence and approval for the declaration of surplus property and vacation of easements identified herein and on the attached documents. The declaration of surplus property and vacation of easements will ultimately facilitate the construction of the proposed development, Baptist Hospital, located southwest of Interstate-110 and Brent Lane, north of Selina Street, east of Chaney Street, and north of Amber Street.

REMARKS: The 36 individual lots that have been purchased for the new hospital campus no longer need the water and sewer facilities that were previously necessary to serve the customers located on those lots. ECUA staff are of the opinion that certain infrastructure within the project limits of the new Baptist campus can be abandoned and discontinued, at the developer's expense, without disruption to nearby customers. The developer will also upgrade some of ECUA's infrastructure serving the site in the surrounding areas.

There are approximately 350 linear feet of gravity main outside of the project limits which must remain active but will only serve one customer, Pensacola Christian College ("PCC"). The gravity main will be rerouted to a private lift station owned and maintained by PCC. Therefore, ECUA proposes to declare this sewer main surplus as well, so that it can be abandoned by ECUA and dedicated to PCC for their private ownership and maintenance. This action will also facilitate the future abandonment of an ECUA lift station that will be accomplished as part of the phased construction of the new hospital.

Submitted by:



Stacy Hayden, P.E.

Director of Engineering

969-6648

Reviewed by:



J. Bruce Woody, P.E., M.P.A.

Executive Director

969-3373

Pete Kummer

Manager of Utility Development

969-6643

Attachments:

Declaration of Surplus Easements



September 11, 2020

TO WHOM IT MAY CONCERN:

Re: Baptist Hospital Main Campus Relocation – Declaration of Surplus

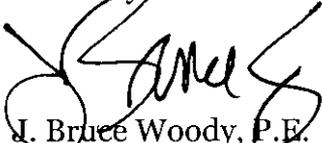
Baptist Hospital, in an effort to relocate its main hospital campus, has purchased 36 parcels of land in an approximately 53-acre area generally situated southwest of the intersection of Interstate-110 and Brent Lane. As a result, approximately 3,700± linear feet of water infrastructure and 3,200± linear feet of sewer infrastructure in and around the limits of the project are no longer serving individual ECUA customers.

In order to accommodate the new Baptist campus, ECUA staff has determined that certain ECUA infrastructure within the limits of the Baptist new campus (as shown on the attached Exhibit A1 and Exhibit A2) can be abandoned and removed without affecting any upstream or downstream customers. Once abandoned, the easements within which the affected infrastructure reside will no longer serve a purpose and as such will be of no use to ECUA and will ultimately encumber the Baptist property (specific easements described in Exhibit B).

As a result, I am of the opinion that all water and sewer mains that have been rendered ineffectual due to the Baptist Hospital relocation project and shown on Exhibit A1 and Exhibit A2 hereto attached, as well as the easements associated with that infrastructure, as described in Exhibit B hereto attached are longer necessary, useful, or profitable in the operation of the utility systems of ECUA. I am also of the opinion that the aforementioned water and sewer facilities do have an estimated value in excess of \$100,000 and the aforementioned easement areas do not have an estimated value in excess of \$100,000.

I am rendering this written determination pursuant to Section 2-16(A)(2) of the ECUA Code.

Sincerely,



J. Bruce Woody, P.E.
Executive Director

Exhibit A (1) - Surplus Infrastructure

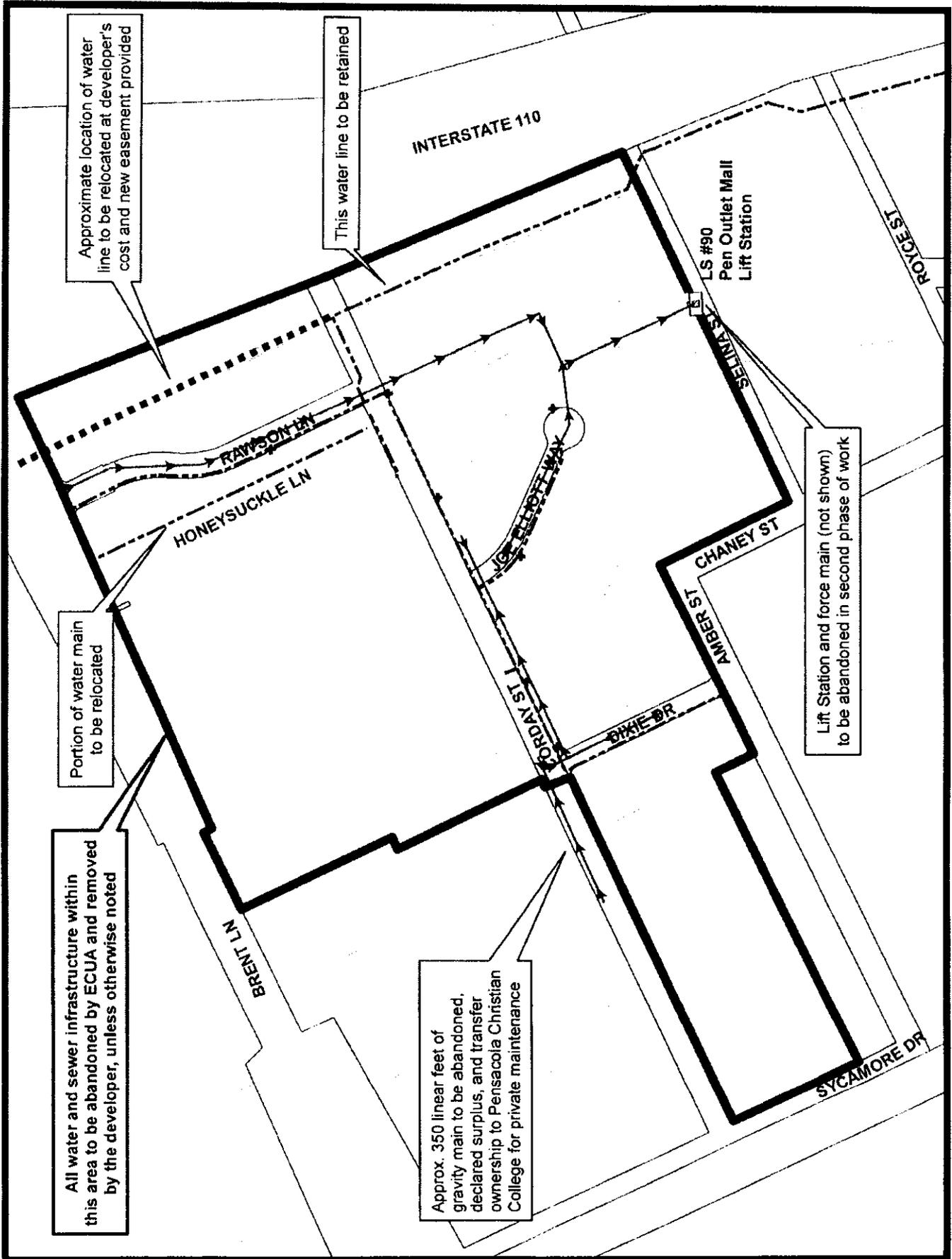


Exhibit A (2) - Surplus Easements

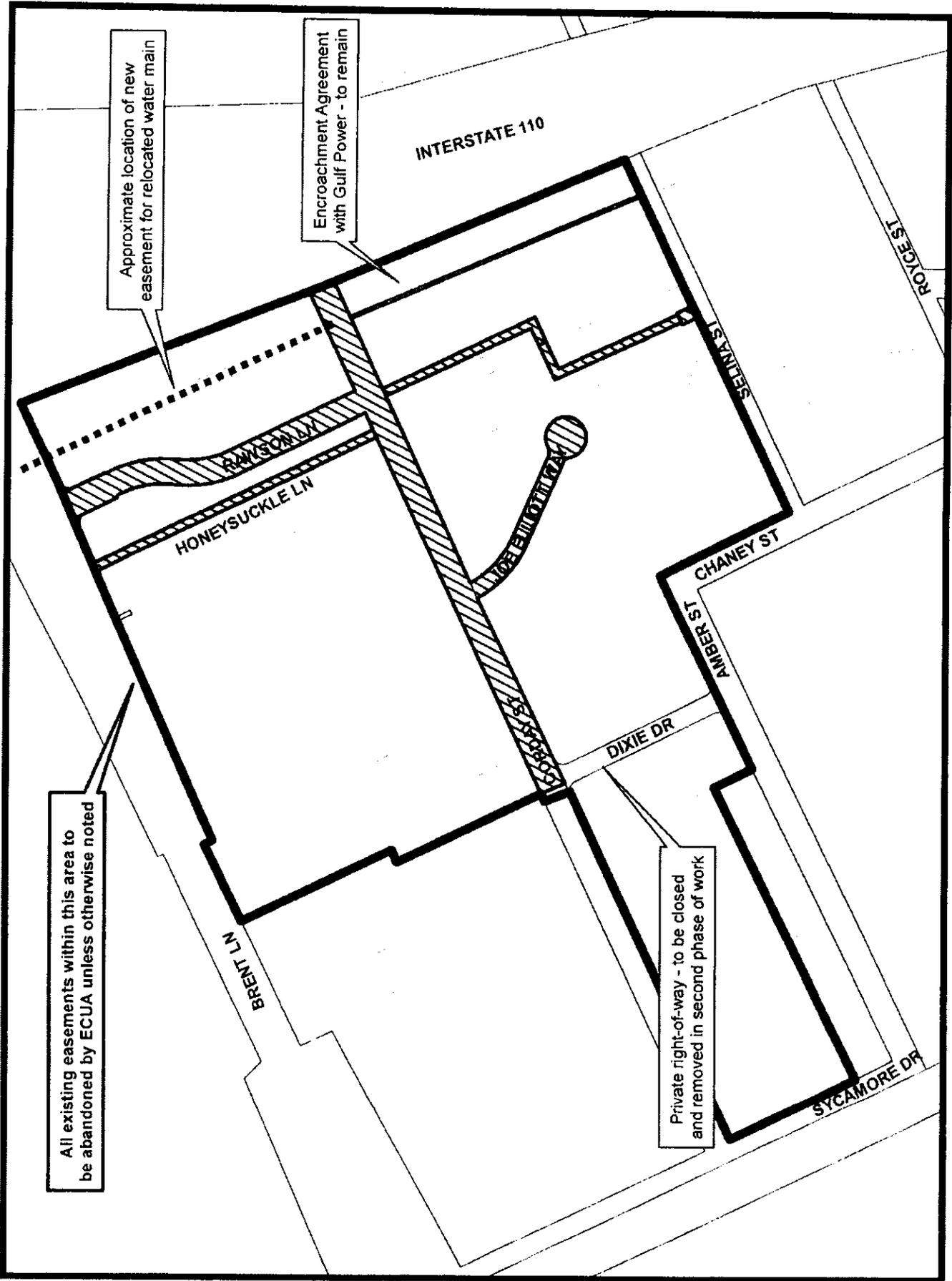


EXHIBIT B

Easements to be declared surplus.

- **City of Pensacola Ordinance 07-20** – a utility easement reserved over the following described vacated rights-of way:

RAWSON LANE IN ITS ENTIRETY FROM THE SOUTHERLY RIGHT-OF-WAY LINE OF BRENT LANE (S.R. No. 296) TO THE NORTHERLY RIGHT-OF-WAY LINE OF CORDAY STREET; CORDAY STREET FROM THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE I-110 TO A POINT 1,368± FEET WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE I-110, WHICH 1,368± WILL BE MEASURED ALONG THE CENTERLINE OF CORDAY STREET R/W; JOE ELLIOTT WAY IN ITS ENTIRETY.

- Escambia County Public Records **Official Records Book 2349 Page 368**:

That portion of Section 48, Township 1 South, Range 30 West, Escambia County, Florida, described as follows:

Commence at the intersection of the east right of way line of the L & N Railroad and the centerline of Brent Lane (Spoon's Northwest Corner); thence go north 65 degrees 23 minutes 27 seconds east along the centerline of Brent Lane (S.R. No. 296) for a distance of 1960.20 feet; thence go south 24 degrees 32 minutes 42 seconds east for a distance of 40.00 feet to the south right of way of Brent Lane; thence go north 65 degrees 23 minutes 33 seconds east along aforesaid right of way line for a distance of 21.23 feet; thence go south 24 degrees 25 minutes 17 seconds east along said right of way line for a distance of 10.00 feet; thence go north 65 degrees 23 minutes 32 seconds east along said right of way line for a distance of 135.44 feet to the intersection with the centerline of a proposed county road; thence go south 24 degrees 32 minutes 43 seconds east along aforesaid centerline for a distance of 175.02 feet to the point of curvature of a curve having a radius of 209.99 feet; thence go along said curve to the right for an arc distance of 97.17 feet (CH. = 96.30'; CH. BRG. = S11° 17' 20"E) to the point of tangency; thence go south 01 degrees 68 minutes 02 seconds west for a distance of 82.96 feet to the point of curvature of a curve having a radius of 210.66 feet; thence go along said curve to the left for an arc distance 96.46 feet (CH. = 95.62, CH. BRG. – S11° 09' 01"E) to the point of tangency; thence

go south 24 degrees 16 minutes 05 seconds east for a distance of 417.54 feet to the southerly right of way line of Corday Street (66' R/W) and the point of beginning of a 20.00 foot wide sanitary sewer easement being 10 feet on each side and contiguous with the following described centerline; thence go south 24 degrees 20 minutes 41 seconds east for a distance of 399.81 feet; thence go south 65 degrees 48 minutes 49 seconds west for a distance of 137.00 feet; thence go south 21 degrees 38 minutes 54 seconds east for a distance of 344.00 feet to the point of termination of the 20 foot wide easement and the point of beginning of a 30 foot wide easement; thence continue south 21 degrees 38 minutes 54 seconds east for a distance of 41.39 feet to the northerly right of way line of Selina Street (40' R/W) and the point of beginning.

- Escambia County Public Records **Official Records Book 560 Page 740** assigned to ECUA from the City of Pensacola per **Official Records Book 1687 page 804:**

A twenty (20) foot wide easement, the centerline of which is described as follows: A portion of Section 48, Township 1 South, Range 30 West, beginning at a point 1959. 92 feet east of the northwest corner of J. E. Spoon's 12 acres at Brent Station, thence run south and parallel to the right-of-way of Louisville and Nashville Railroad for 822. 80 feet to the end of said easement in Escambia County, Florida