RESOLUTION NO. 2013-___21___

A RESOLUTION OF THE CITY OF DEFUNIAK SPRINGS OF WALTON COUNTY, FLORIDA, RELATING TO CSX TRANSPORTATION, INC. FACILITY ENCROACHMENT AGREEMENT NUMBER CSX754954

WHEREAS, the City of DeFuniak Springs (referred to as city) wishes enter into a agreement number CSX 754954 with CSX Transportation, Inc., (referred to as CSX) a Virginia corporation, effective November 15, 2013 for a natural gas utility easement;

WHEREAS, the city wishes to construct, maintain, repair, renew, operate, use, alter or change a one two-inch diameter sub-grade crossing, solely for the conveyance of natural gas, located at or near DeFuniak Springs, Walton County, Florida, Jacksonville Division, pa Subdivision, Milepost 00K-724.94, Latitude N30:44:25.83, Longitude W86:11:08-89; and

WHEREAS, the city agrees to consider all mutual covenants, conditions, terms, and agreements contained within agreement number CSX754954; and

WHEREAS, the city agrees to pay CSX a one-time nonrefundable Encroachment fee of $4,000, upon execution of said agreement, which shall apply only to the city; and
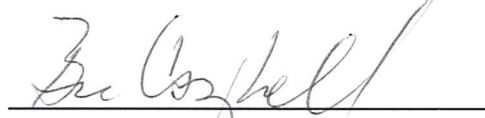
WHEREAS, the city agrees to pay any additional annual taxes and/or periodic assessments levied against CSX property solely on account of said facilities or encroachment; and

WHEREAS, the agreement shall terminate if the city removes, ceases to use the facilities or encroachment for said purposes, or fails to complete the installation by November 15, 2018; and

NOW THEREFORE, BE IT RESOLVED THAT, the DeFuniak Springs City Council approves Agreement Number CSX754954 effective November 15, 2013, between CSX Transportation, Inc., a Virginia Corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, to install a natural gas line in the proximity of Milepost 00K-724.94, Latitude N30:44:25.83, Longitude W86:11:08.89.
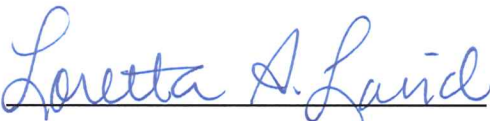
Duly passed and adopted by the DeFuniak Springs City Council on this ___25th___ day of ___November___, 2013.

DEFUNIAK SPRINGS, FLORIDA

Mayor Robert "Bob" Campbell

ATTEST:

City Clerk, Loretta A. Laird