

ORDINANCE NO. 2002-3

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, TRANSFERRING A PORTION OF S.W. 54th PLACE TO WESTFIELD ESTATES HOMEOWNERS ASSOCIATION, INC., AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," SUBJECT TO ANY EASEMENTS, CONDITIONS, RESTRICTIONS, & LIMITATIONS IF ANY; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town is the legal owner of S.W. 54th Place, a local road within the Town of Southwest Ranches; and

WHEREAS, a portion of S.W. 54th Place, as more particularly described in Exhibit "A," (the "Property") runs through an area called Westfield Estates; and

WHEREAS, to insure the health, safety and welfare of the Town's residents residing within the area known as Westfield Estates, the Town has been requested to transfer said portion of S.W. 54th Place to The Westfield Estates Homeowners Association, Inc., a Florida non profit corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA THAT:

Section 1: The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council. All exhibits referenced herein and attached hereto are hereby incorporated herein.

Section 2: The Town Council and the Town of Southwest Ranches, Florida, are hereby authorized to transfer, the Property to Westfield Estates Homeowners Association, Inc., by Quit Claim Deed, subject to any government easements, utility easements, conditions, restrictions, limitations and rights-of-ways and subject to a reservation of reverter right in the event the property ceases to be used and maintained for the ingress and egress of the residents, guests and invitees of Westfield Estates.

Section 3: The appropriate Town officials are hereby authorized and directed to deliver to Westfield Homeowner's Association, Inc., a properly executed Quit Claim Deed substantially in the form of Exhibit "B" attached hereto, subject to any government easements, utility easements, conditions, restrictions, limitations and rights-of ways and subject to a reservation of reverter right in the event the property ceases to be used and maintained for the ingress and egress of the residents, guests and invitees of Westfield Estates.

Section 4. The Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida.

Section 5. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. Severability. If any word, phrase, clause, sentence or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 11th day of April 2002.

PASSED AND ADOPTED ON SECOND READING this 9th day of May 2002.

Mecca Fink, Mayor

Attest:

Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff, J.D., Town Attorney