

RESOLUTION NO. 2021-083

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-32-21 TO SUBDIVIDE 4.81 GROSS ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.81 NET ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HANCOCK ROAD APPROXIMATELY 1,600 FEET SOUTH OF EAST PALOMINO DRIVE; COMPRISING PORTIONS OF TRACTS 39 AND 40 OF "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, AND ADJOINING LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" HERETO; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

WHEREAS, at a duly noticed public hearing held on September 13, 2021, the Town Council reviewed Waiver of Plat Application No. WP-32-21 by 5353 Hancock Road, LLC ("Petitioner") to subdivide 4.81 gross acres into two lots of 2.0 and 2.81 net acres; and

WHEREAS, the proposed subdivision will comply with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC, subject to the conditions of approval set forth herein.

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

Section 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That, at a duly noticed public hearing held on September 13, 2021, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves Waiver of Plat Application No. WP-32-21 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels described and depicted in Exhibit "B" attached hereto and made a part hereof, subject to the following condition agreed to by the Petitioner:

1. Petitioner shall file in the public records of Broward County Florida a deed restriction, in a form and format approved by the Town Attorney, stating that the north parcel shall be deeded to Silvia C. Caraballo, and the south parcel shall be deeded to Alvaro D. Cornavaca and Gabriela A. Cornavaca. Neither parcel may be transferred, sold, or conveyed to any other party until September 14, 2024.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

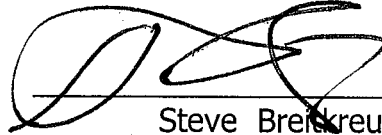
Section 4. This approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

Section 5. This Resolution shall become effective upon its recordation.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 13th day of September 2021, on a motion by Council Member Jablonski and seconded by Council Member Kuczenski.

| | | | |
|------------|------------|------------|----------|
| Breitkreuz | <u>Yes</u> | Ayes | <u>5</u> |
| Hartmann | <u>Yes</u> | Nays | <u>0</u> |
| Allbritton | <u>Yes</u> | Absent | <u>0</u> |
| Jablonski | <u>Yes</u> | Abstaining | <u>0</u> |
| Kuczenski | <u>Yes</u> | | |

(Signatures are on the following page)



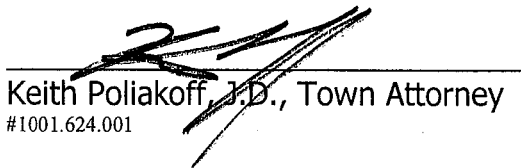
Steve Breikreuz, Mayor

ATTEST:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney
#1001.624.001

Exhibit "A"

Parent Tract Legal Description

THE EAST ONE-HALF (E 1/2) OF TRACT 39, TOGETHER WITH A PORTION OF THE EAST ONE-HALF (E 1/2) OF TRACT 40 OF "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST" AS RECORDED IN PLAT BOOK 1 PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE HALF (S 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 34;

TOGETHER WITH THE NORTH 31.14 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 34 (AS MEASURED AT RIGHT ANGLES TO THE NORTH AND EAST LINES THEREOF).

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA AND SUBJECT TO RIGHT-OF-WAY OVER THE EAST 80 FEET THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627 AND OFFICIAL RECORDS BOOK 4127, PAGE 455 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

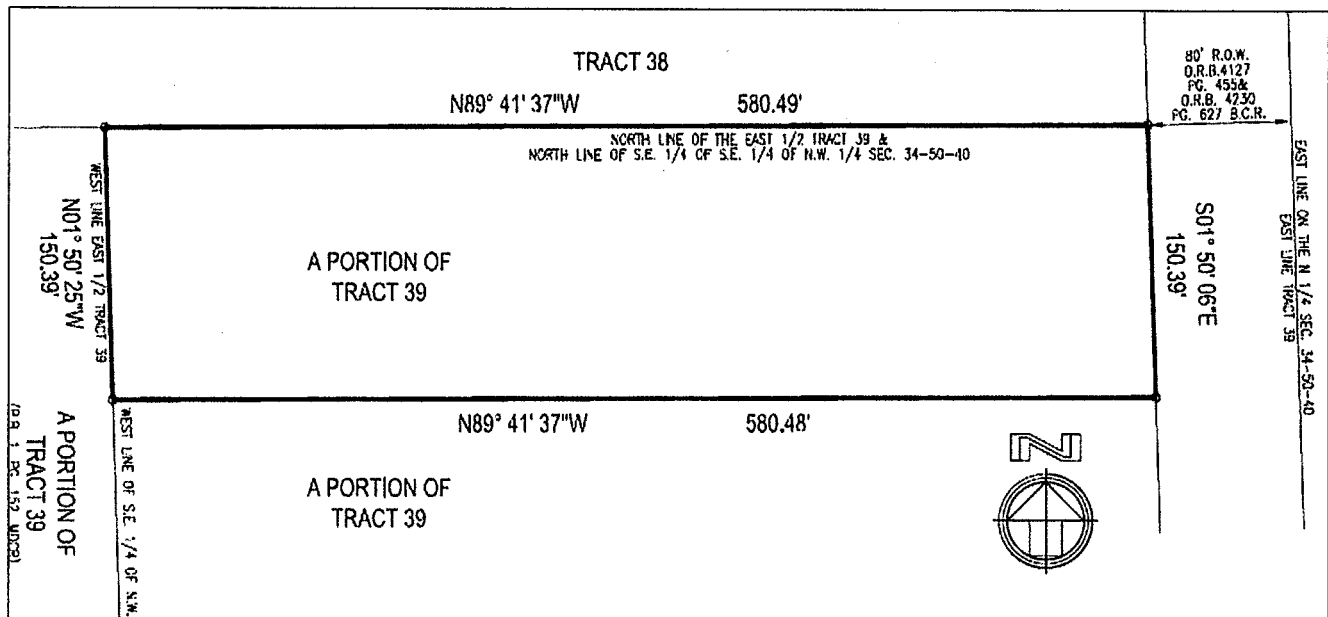
SAID LANDS SITUATE IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAIN 209,620 SQUARE FEET AND/OR 4.812 ACRES, MORE OR LESS.

Exhibit "B"

Legal description of Subdivided Lots

NORTH PARCEL

THE NORTH 150.33 FEET OF THE EAST ONE-HALF (E 1/2) OF TRACT 39 OF "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST" AS RECORDED IN PLAT BOOK 1 PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS THE NORTH 150.33 FEET OF THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE HALF (S 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 34; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA AND SUBJECT TO RIGHT-OF-WAY OVER THE EAST 80 FEET THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627 AND OFFICIAL RECORDS BOOK 4127, PAGE 455 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAIN 87,266 SQUARE FEET AND/OR 2.003 ACRES, MORE OR LESS.



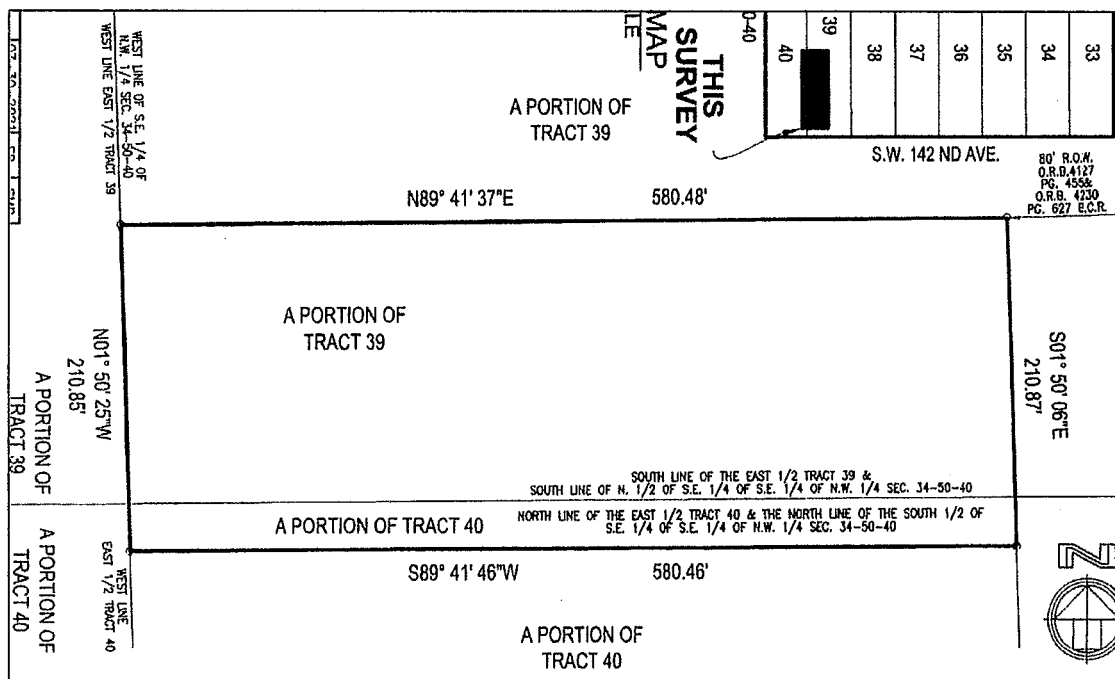
SOUTH PARCEL

A PORTION OF THE EAST ONE-HALF (E 1/2) OF TRACT 39, TOGETHER WITH A PORTION OF THE EAST ONE-HALF (E 1/2) OF TRACT 40 OF "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST" AS RECORDED IN PLAT BOOK 1 PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS THE EAST ONE-HALF (E 1/2), OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE HALF (S 1/2) OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION 34, LESS THE NORTH 150.33 FEET THEREOF.

TOGETHER WITH THE NORTH 31.14 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 34, (AS MEASURED AT RIGHT ANGLES TO THE NORTH AND EAST LINES THEREOF).

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SAID LANDS SITUATE IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAIN 122,354 SQUARE FEET AND/OR 2.809 ACRES, MORE OR LESS.



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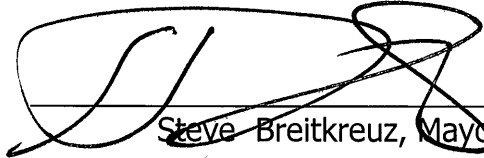
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| Kuczenski | <u>Yes</u> | | |

(Signatures are on the following page)


Steve Breitkreuz, Mayor

ATTEST.


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

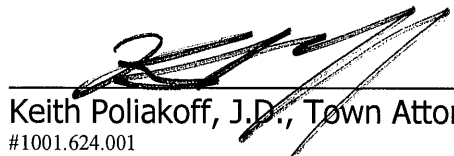

Keith Poliakoff, J.D., Town Attorney
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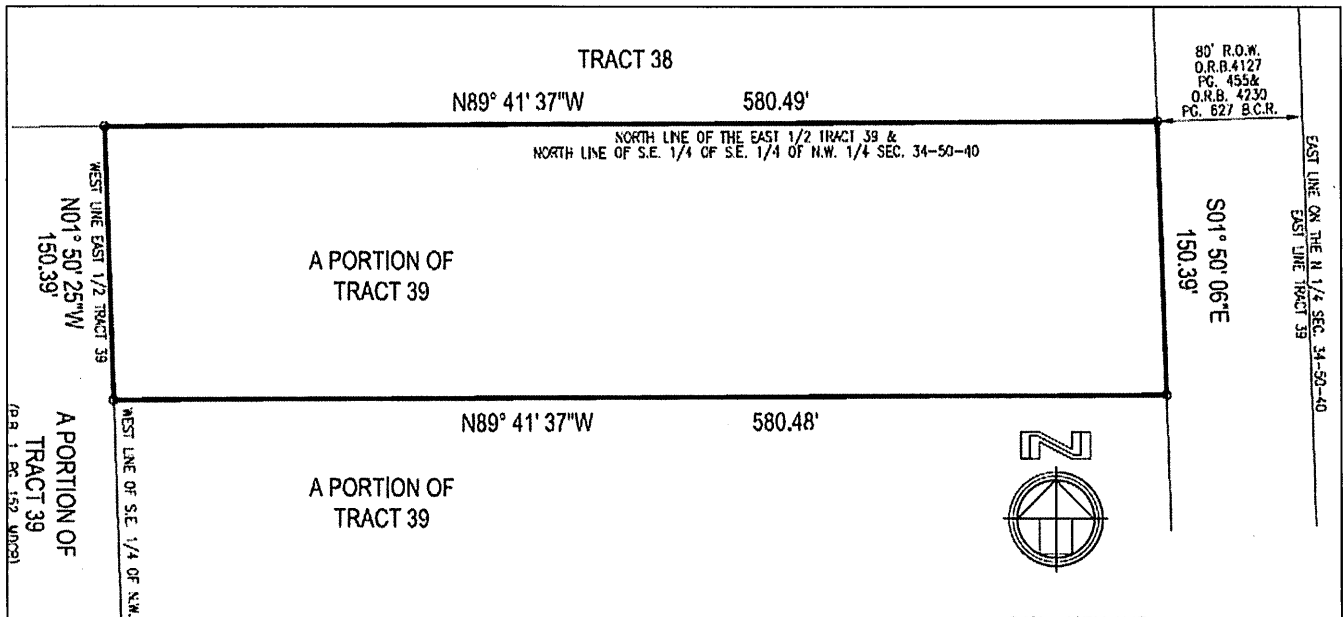
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