

ORDINANCE NO. 2018-003

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED RIGHT-OF-WAY RECORDED AS THE WEST 20 FEET OF TRACTS 13 THROUGH 16, LESS THE SOUTH 40 FEET OF TRACT 16, EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; GENERALLY LOCATED AT THE 13800 BLOCK OF STIRLING ROAD MIDWAY BETWEEN HANCOCK ROAD AND HOLATEE TRAIL AND EXTENDING 1,280.75 FEET NORTH OF STIRLING ROAD; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Paragon Homes of South Florida, Inc. ("Petitioner") seek to vacate the right-of-way described in Exhibit "A" hereto on behalf of Neisha Zaffuto, Trustee of NNJZ Revokable Trust; and

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida ("Town Council") finds that the unimproved subject right-of-way is not used to access adjoining properties; and

WHEREAS, the Town Council finds that all properties adjoining the subject right-of-way have alternate means of access; and

WHEREAS, the Town Council finds that the subject right-of-way does is not needed for any public purpose, and that the vacation request will not otherwise be in conflict with the health, safety, and welfare of Town residents.

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

Section 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. RIGHT-OF-WAY VACATION. The Town Council hereby authorizes the vacation and abandonment of the right of way described in Exhibit "A," which is attached hereto and made a part hereof.

Section 3. EFFECTUATION. The Town Attorney, Town Administrator and Mayor are hereby authorized to prepare and execute any and all documents necessary to effectuate the intent of this Ordinance.

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

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or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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

[Signatures on Following Page]

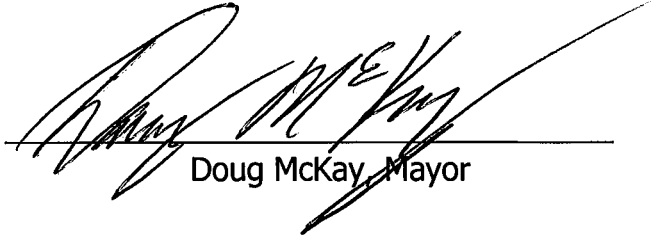
PASSED ON FIRST READING this 26th day of April, 2018 on a motion

made by Vice Mayor Fisikelli and seconded by Council Member Breitzkreuz.

PASSED ON SECOND READING this this 10th day of May, 2018 on a motion

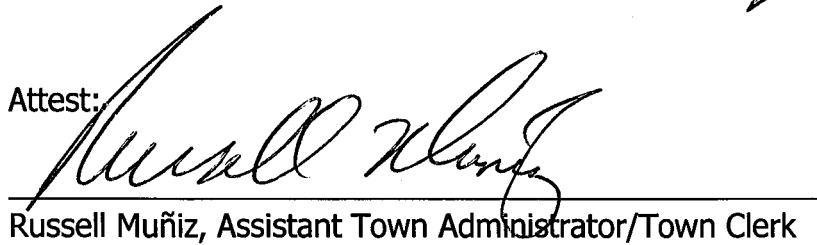
made by V/m Schroeder and seconded by V/m Fisikelli.

McKay	<u>Ayes</u>	Ayes	<u>4</u>
Fisikelli	<u>Ayes</u>	Nays	<u>0</u>
Breitzkreuz	<u>Absent</u>	Absent	<u>1</u>
Jablonski	<u>Ayes</u>	Abstaining	<u>0</u>
Schroeder	<u>Ayes</u>		



Doug McKay, Mayor

Attest:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, Town Attorney

114847529.1

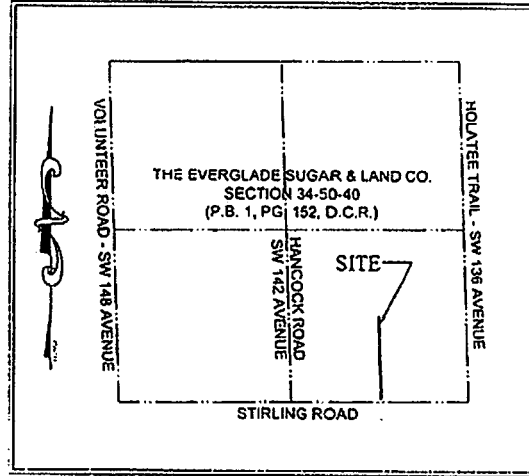
EXHIBIT 'A'

SKETCH AND DESCRIPTION

LEGAL DESCRIPTION:

THE WEST 20 FEET OF TRACTS 13 THROUGH 16, LESS THE SOUTH 40 FEET OF TRACT 16, THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, FLORIDA. CONTAINING 25,615 SQUARE FEET (0.586 ACRES) MORE OR LESS



LOCATION MAP - NOT TO SCALE

NOTES:

- 1) Bearings shown hereon are based on the South line of Tract 16 with an assumed bearing N 89°43'23" E.
- 2) This Sketch and Description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 3) The undersigned and David & Gerchar, Inc., make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights-of-way and/or easements of record.
- 4) This Sketch and Description consists of two (2) sheets and is not complete without all sheets.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 2

REVISIONS	DATE	BY	CKD	FB/PG	R/W TO BE VACATED	

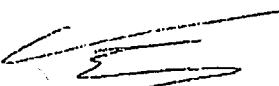
 THEODORE J. DAVID FOR THE FIRM PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5821 DAVID & GERCHAR, INC. LB#6935	SCALE: N/A FB/PG: N/A DRAWN BY: ARM CKD. BY: TD	JOB NO: 17-018 SKETCH & DESCRIPTIONS CAD. FILE: F:\dwgs\17-jobs\17-018\sketch and descriptions DATE: 9/19/17 PROJ. FILE: 17-018	DAVID & GERCHAR, INC. SURVEYORS AND MAPPERS 12750 N.W. 40th Street, Bay 1 Coral Springs, Florida 33065 (954) 340-4025 • tcd@davidandgerchar.com
---	--	---	--

EXHIBIT 'A'

