

RESOLUTION NO. 2005 - 072

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE DUKE ESTATE PLAT; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID PLAT; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Duke Estate Plat is described as all of Tract 11, of the EVERGLADES SUGAR AND LAND COMPANY 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, less the following property:

A portion of Tract 11, of the EVERGLADES SUGAR AND LAND COMPANY 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, being more particularly described as follows:

Commence at the Northeast corner of said Tract 11; thence proceed along the North line of said Tract 11 on an assumed bearing of South 89°44'24" West, a distance of 752.73 feet to the Point of Beginning of the herein described parcel; thence proceed South 01°48'56" East, along a line parallel with and 568.00 feet (as measured along the North and South Tract lines) East of the West line of said Tract 11, a distance of 330.23 feet to a point of intersection with the South line of said Tract 11; thence proceed South 89°42'14" West along the South line of said Tract 11, a distance of 568.00 feet to a point of intersection with the West line of said Tract 11; thence North 01°48'56" West along the West line of said Tract 11, a distance of 330.59 feet to a point of intersection with the North line of Tract 11; thence North 89°44'24" East a distance of 568.00 feet to the Point of Beginning. Together with the North 30.00 feet of the East 752.73 feet, less the East 60.00 feet of said Tract 11.

Said lands situate, lying and being in the Town of Southwest Ranches, Broward County, Florida and containing 207,786 Square Feet (4.771 Acres);

Generally located on the West side of SW 136th Avenue (Holatee Trail) about 1/3 mile North of Stirling Road; and

WHEREAS, at a duly noticed public hearing held on May 19, 2005, the Town Council reviewed the Duke Estate Plat, which provides for one (1) single-family dwelling units to be built on an approximately 4.7 gross acre parcel; and

WHEREAS, the parcel has a Rural Ranch Land Use and a Rural Ranches zoning designation, which allows residential development at one unit per two and one-half gross acres, or one unit per two net acres, with a minimum lot width of 125 feet; and

WHEREAS, the proposed lot complies with the minimum net lot size and dimension requirements; and

WHEREAS, access to the plat will be provided on SW 136th Avenue through an access opening located on the southwest corner of the plat; and

WHEREAS, a ten foot utility easement will be provided along the South and East sides of the plat; and

WHEREAS, drainage will be accomplished through an easement along the south side of the plat and a proposed catch basin with outfall to the S-33 Canal, per the Town Master Tertiary Drainage Plan.

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 May 19th, 2005, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the Duke Estate Plat subject to the following agreed upon conditions:

- a. That there is sufficient capacity of the regional roadway network as determined by Broward County. In the event that sufficient capacity is not met, then the plat shall be denied by the Town.
- b. That the Town Attorney will review and will approve all necessary legal information, including the Opinion of Title.
- c. That payment of the Park Impact Fee shall occur prior to the second and final signoff of the plat by the Town.
- d. That a cost estimate must be approved, and a guarantee bond must be posted to ensure the construction of a guardrail along the east side of 136th Avenue for the entire length of the property, as well as a catch basin

and outfall including pavement restoration prior to the second and final signoff of the plat by the Town.


- e. That the construction of all required improvements shall occur prior to the issuance of a certificate of occupancy.
- f. That the owner executes a Declaration of Restrictive Covenants Relating to Roadways and Access, relating to SW 136th Street, prior to the second and final signoff of the plat by the Town.
- g. That all remaining Development Review Committee technical issues shall be satisfied prior to the second and final signoff of the plat by the Town.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat.

Section 4. This Resolution shall become effective immediately upon adoption.

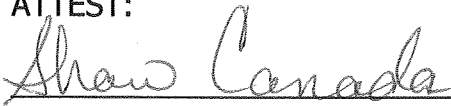
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 19th day of May 2005, on a motion by Council Member Nelson and seconded by Council Member Maines.

Fink	<u>Y</u>	Ayes	<u>4</u>
Knight	<u>A</u>	Nays	<u>0</u>
Blanton	<u>Y</u>	Absent or	
Maines	<u>Y</u>	Abstaining	<u>1</u>
Nelson	<u>Y</u>		




Mecca Fink, Mayor

ATTEST:



Shari Canada, Town Clerk

Approved as to Form and Correctness:



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

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