

RESOLUTION NO. 2005-97

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING AND ABANDONING THE FIFTY FOOT UNIMPROVED ROADWAY EASEMENT GENERALLY DESCRIBED AS THE SOUTH FIFTY (50) FEET OF PARCEL "A" AND 0.2775 ACRES OF PARCEL B OF THE "HUMPHRIES HIDEAWAY" PLAT, RECORDED IN PLAT BOOK 169, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AUTHORIZING THE PREPARATION AND EXECUTION OF ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the fifty (50) foot unimproved roadway easement located on the Humphries Hideaway Plat was originally dedicated to provide access to two lots within the Humphries Hideaway Plat; and

WHEREAS, on July 14, 2005, the Town Council adopted Resolution No. 2005-98 approving a delegation request to divide the property into four lots; and

WHEREAS, since the current roadway easement is not long enough to provide access to all of the future lots, the petitioner is seeking to have the current unimproved road easement vacated in order to create another private roadway easement that will provide access to all four lots; and

WHEREAS, since the current roadway easement was dedicated through the platting process, Broward County requires documentation from the Town that the Town does not object to the abandoning of the easement; and

WHEREAS, this Resolution serves to provide the required documentation to Broward County.

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

Section 1. The above referenced recitals are true and correct and are incorporated herein by reference. All exhibits referenced herein and attached hereto are hereby incorporated herein by reference.

Section 2. It is hereby determined that the roadway easement is no longer useful or needed as a roadway easement, and it is in the public interest

that the roadway easement be abandoned and vacated as a roadway easement, and that it be released from any and every public right, use, title and interest, except as hereinafter provided. Subject to Broward County's approval therefore, the easement is hereby vacated and abandoned as an easement, and the easement is hereby released and discharged of any and every public right, use, title and interest of the Town of Southwest Ranches, for roadway easement purposes and that the roadway easement shall revert back to the adjoining owners who have reversionary interest, except and subject to any additional easements of record, over, under and across the roadway easement. The Town Council and the Town of Southwest Ranches, Florida hereby authorizes the vacation of the portion of the roadway easement as described in Exhibit "A".

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 Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 14th day of July 2005, on a motion by Vice Mayor Blanton 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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