

RESOLUTION NO. 2009-050

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

WHEREAS, the Sutton Ranches Plat is described as a Replat of Tracts 23 and 24 in Section 5, Township 51 South, Range 40 East, "Florida Fruit Lands Company Subdivision No. 1", Plat recorded in Plat Book 2, Page 17, Public Records of Miami-Dade County, Florida, together with the 15.00 foot right-of-way lying between said tract 24 and the South line of the NW ¼ of Section 5, Township 51 South, Range 40 East; said lands lying and being in the Town of Southwest Ranches, Broward County, Florida;

Generally located on the west side of S.W. 166th Avenue, approximately four-tenths of one mile south of Stirling Road; and

WHEREAS, on March 8th, 2007, pursuant to Resolution 2007-051, the Town Council approved the Sutton Ranches Plat, which provides for the subdivision of an approximately 19.830 gross acre lot in order to create sixteen (16) single-family lots; and

WHEREAS, due to the applicant's failure to post a bond for the onsite and offsite improvements, the original plat was never recorded; and

WHEREAS, at a duly noticed public hearing held on April 16th, 2009, the Town Council re-reviewed the Sutton Ranches Plat, and the applicant's desire to move the requirement to post a bond from prior to plat recordation to the earlier of site plan approval or the issuance of any permits; and

WHEREAS, the proposed lots range from one (1) net acre to one point two (1.2) net acres, excluding any area designated as private ingress/egress easement, canal and canal maintenance easement, and right-of-way dedication ;

WHEREAS, the parcel has a Rural Estates Land Use and a Rural Estates zoning designation, which allows residential development at one unit per net acre;

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

WHEREAS, access to the plat will be provided via an internal 50-foot private ingress/egress and utility easement connecting the property to S.W. 166th Avenue, which is on the east side of the plat;

WHEREAS, this cul-de-sac road shall be maintained by the property owners within the Sutton Ranches Plat;

WHEREAS, a non-vehicular access line will be created around the entire portion of the S.W. 66th Street cul-de-sac shown on the plat in the S.W. corner of Lot 9, to emphasize that access to the plat is not to be provided from S.W. 66th Street;

WHEREAS, the plat seeks to vacate the northern half of an existing total 30-foot right-of-way dedication at S.W. 66th Street to prevent cut-through traffic on S.W. 66th Street;

WHEREAS, each lot is surrounded by surface water management area and each lot is bordered by a utility easement;

WHEREAS, provided that the connection with Sunrise water does not trigger any testing or connection impacts on the surrounding neighbors, it is proposed that each lot will receive water service from the City of Sunrise and sewer service from private septic tanks;

WHEREAS, Central Broward Drainage District has approved the site for first signatures;

WHEREAS, twenty-five (25) feet of right-of-way has been dedicated along the east side of the plat on S.W. 166th Avenue, consistent with the established right-of-way section and previous dedication requirements for S.W. 166th Avenue, as well as to accommodate drainage and clear zone requirements; and

WHEREAS, adjacent to the right-of-way is a 12-foot trail easement dedicated for the perpetual use of the public for equestrian and recreational purposes and shall be maintained by the property owners of the Sutton Ranches Plat.

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 April 16th, 2009, following the review of the staff report and all written and oral evidence received during

the public hearing, the Town Council hereby approves the Sutton Ranches Plat subject to the following stipulated 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 cul-de-sac roadway which provides access to the lots at S.W. 166th Avenue shall be named prior to site plan approval.
- c. That the applicant shall provide an address plan for the lots prior to the second and final signoff of the plat by the Town.
- d. That simultaneously upon the recording of the Sutton Ranches Plat, the north half (N 1/2) portion of the thirty foot (30') public right-of-way located on the southern boundary of the plat, and know as a portion of S.W. 66th Street, shall be vacated.
- e. That the applicant executes the Town's standard Maintenance and Indemnification Agreement relating to S.W. 166th Avenue being substandard in regards to width and elevation.
- f. That a cost estimate is approved, and an evergreen bond is posted for all offsite and onsite improvements, as required by the Town Engineer, prior to the earlier of site plan approval or the issuance of any permits by the Town. All improvements shall be completed prior to the issuance of the first Certificate of Occupancy for any of the parcels.
- g. That the applicant shall only connect to Sunrise water provided that this connection does not trigger any testing or connection impacts on the surrounding neighbors, in the event of any impacts, the applicant shall use a well system.
- h. That this Resolution shall be recorded in the public records of Broward County Florida.
- i. That the applicant shall pay to the Town an amount equal to the total expense incurred by the Town in processing this application prior to the execution of the plat by the Town.

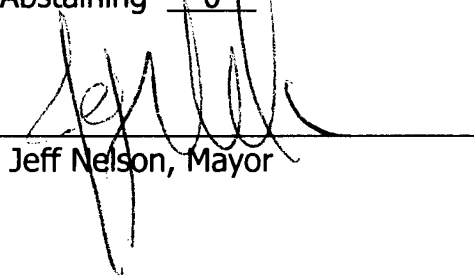
Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat.

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 17th day of April 2009, on a motion by Vice Mayor Steve Breitkreuz and seconded by Council Member Aster Knight.

Nelson	<u>Y</u>
Breitkreuz	<u>Y</u>
Fisikelli	<u>Y</u>
Knight	<u>Y</u>
McKay	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>




Jeff Nelson, Mayor

ATTEST:



Susan A. Owens, Town Clerk

Approved as to Form and Correctness:



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

ETL_DB: 1187019_1

BR WARD

FLORIDA

(954) 831-4000
 Broward County
 Governmental Center
 115 S. Andrews Ave, Room
 114
 Fort Lauderdale, FL 33301
 www.broward.org/records



Transaction #: **3780037**
 Receipt #: **3235469**
 Cashier Date: **5/26/2009 12:45:39 PM (2085)**

Print Date:
 5/26/2009 12:50:16 PM

Customer Information	Transaction Information	Payment Summary
(883) BECKER & POLIAKOFF P A Will Call #: 27	Date Received: 05/26/2009 Source Code: Express Mail Q Code: Express Mail Return Code: Will Call Trans Type: Recording Agent Ref Num: CTC	Total Fees \$35.50 Total Payments \$35.50

1 Payments

CHECK 178238	\$35.50
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1 Recorded Items

(RSO) Resolutions	<i>BK/PG: 46253/220 CFN:108635586</i> <i>Date: 5/26/2009 12:45:39 PM</i> <i>From: SOUTHWEST RANCHES</i> <i>TOWN To: SUTTON RANCHES PLAT</i>	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	4	\$35.50
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items**1 Miscellaneous Items**

(AGENTTRANSMITTAL/MISC)

Becker & Poliakoff, P.A.

Payee: BOARD OF COUNTY COMMISSIONERS

Check #: 178238

Vendor ID: B0040

Check Date: May 22/09

<u>Invoice Num</u>	<u>Invoice Date</u>	<u>Reference</u>	<u>Payment Amt</u>
69682/050	May 22/09	RECORD RESOLUTION 2009-050 FOR S.W. RANCHES - S205	\$35.50
Totals:			\$35.50

RECORDING TRANSMITTAL

TO: X Board of County Commissioners Broward County, Florida County Records Division-Recording Section 115 S. Andrews Avenue, Rm. 114 P.O. Box 14668 Ft. Lauderdale, FL 33302 (954) 357-7281 <input type="checkbox"/> Palm Beach County Clerk of Courts 205 N. Dixie Highway, Rm. 4.25 West Palm Beach, FL 33401 P.O. Box 4177 West Palm Beach, FL 33402 (561) 355-2991	Broward County Assigned Code: 883 Date: May 22, 2009 From: Becker & Poliakoff Contact: Tina Siregar Phone: 954-987-7550 RE: 883 FILE Number: S20572/69682 883 FILE NAME: Town of Southwest Ranches
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Please record the following documents in the exact order listed:

Document Description	# Pages	# Names	Palm Beach County Only		Fee Description	Fee
			# Land Descriptions	# Book/Page or CPN References		
1. Resolution 2009-050	4				Recording	\$35.50
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
Check(s) enclosed. In Broward, pay to Board of County Commissioners or Broward County Records In Palm Beach, pay to Clerk of Circuit Court.						
CK# 178238	\$35.50	CK#	\$	CK#	\$	TOTAL FEES ----> \$35.50
CK#	\$	CK#	\$	CK#	\$	
CK#	\$	CK#	\$	CK#	\$	

RETURN DOCUMENT VIA: Enclosed self-addressed stamped envelope Will-call box #

Special Instructions: