

**RESOLUTION NO. 2009-070**

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

**WHEREAS**, the Permونت Estates II is generally located on the south side of Griffin Road, approximately 270 feet west of SW 130<sup>th</sup> Avenue, and is legally described as that part of the Southwest quarter of Section 26, Township 50 South, Range 40 East, lying south of the new river canal (C-11), being more particularly described as follows:

Commence at the Southwest Corner of the Southwest quarter of Section 26, Township 50 South, Range 40 East, Broward County, Florida. Thence N 89°42'56" E, along the south line of southwest quarter of said section 26, 1563.14 feet to the southeast corner of Seligman Ranches as recorded in Plat Book 96, page, 18 and the POINT OF BEGINNING; thence N 01° 48' 16" W, parallel with the west line of said section 26, and along the east line of said Seligman Ranches, 1626.97 feet; thence N 88° 25' 31" E, along the south line of the land described in the Order of Taking recorded in official records Book 38693, page 1744 of the public records of Broward County, Florida, 769.07 feet; thence S 01° 48' 16" E, parallel with the west line of said section 26 and in part along the Plat of the "community worship center" as recorded in Plat Book 61, page 39 and the Plat of "Reidenback Plat" as recorded in Plat Book 98, page 31 Broward County Records, 1644.30 feet to a point on the south line of southwest quarter of the aforementioned section 26; thence S 89° 42' 56" W, along the south line of the southwest quarter of said section 26, 769.33 feet to the POINT OF BEGINNING;

Said lands lying and being in the Town of Southwest Ranches, Broward County, Florida. Containing 1,257,905 square feet, or 28.878 acres more or less.

**WHEREAS**, at a duly noticed public hearing held on July 16, 2009, the Town Council reviewed the Permونت Estates II Plat, which provides for the subdivision of an approximately 21.51 net acres in order to create twenty-one single family lots; and

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

**WHEREAS**, each lot will meet or will exceed the minimum width requirement of 125 feet; and

**WHEREAS**, the plat has access to Griffin Road via a fifty (50) foot roadway easement that will be maintained by the future homeowners, but which will remain open to the public; and

**WHEREAS**, Central Broward Water Control District has approved the plat for first signoff, and must approve the final drainage plan prior to issuance of the first building permit for a residence; and

**WHEREAS**, the plat dedicates Parcel B, an area of 3.63 acres at the southern end of the plat for retention, flowage, drainage, and lake maintenance; and

**WHEREAS**, Parcel B also dedicates a 15 foot multi-purpose trail easement to offer connectivity from the southeast to southwest corners of the Parcel; and

**WHEREAS**, the plat provides a ten (10) foot utility easement running along the outside perimeter of the fifty (50) foot roadway easement; and

**WHEREAS**, the applicant has proposed to utilize a well and septic tank for water and sewer; and

**WHEREAS**, the Developer has paid the park impact fee and will be posting security to guarantee the completion of the required on and off-site improvements.

**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 July 16, 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 Permont Estates II 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 Town Attorney review and approve the legal information, including the Opinion of Title, which must be certified to the Town and updated within 30 days of the Town's final signoff.

- c. That at the time of site plan review, the applicant shall comply with Public Water Supply for Fire Protection requirements as requested by the Broward County Fire Marshal.
- d. 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 final execution of the plat by the Town. This fee includes, but shall not be limited to, expenses for engineering, planning, legal, advertising, a five percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this plat.
- e. That the applicant shall post security, in a form acceptable to the Town Attorney, guaranteeing the completion of the required on- and off-site improvements.
- f. That any homeowners association that may be created as a result of this plat, shall not limit or regulate the keeping of animals.
- g. That the entrance to the plat shall never be gated.
- h. That the applicant shall amend the Plat to show a fifteen (15) foot multi-purpose trail easement on Parcel B, which shall connect to the southeast and southwest corners of the Parcel B, prior to the Town's signoff of the plat.

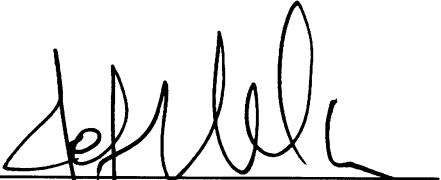
**Section 3.** The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat.

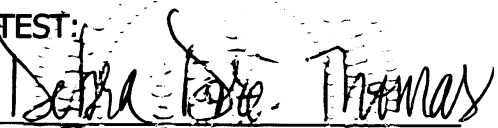
**Section 4.** This Resolution shall become effective immediately upon adoption.

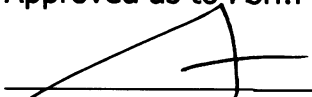
**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 16<sup>th</sup> day of July 2009, on a motion by Vice Mayor Steve Breitzkreuz and seconded by Council Member Doug McKay.

Nelson	YES	Ayes	4
Breitzkreuz	YES	Nays	0
Fisikelli	YES	Absent	1
Knight	ABSENT	Abstaining	0
McKay	YES		

**[Signatures on Following Page]**

  
\_\_\_\_\_  
Jeff Nelson, Mayor

ATTEST:  
  
\_\_\_\_\_  
Debra Doré-Thomas, Town Clerk

Approved as to Form and Correctness:  
  
\_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney  
ACTIVE: 2650692\_1