

ORDINANCE NO. 2009 - 04

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF FIVE ACRES OF LAND FROM RECREATION AND OPEN SPACE TO COMMUNITY FACILITIES, SAID LAND LYING WITHIN THE WEST HALF OF TRACTS 52 AND 53 OF THE FLORIDA FRUIT LANDS CO. SUBDIVISION NO 1, SECTION 29, TOWNSHIP 50 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE DADE COUNTY PUBLIC RECORDS; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AS A REQUEST FOR APPROVAL OF AN IDENTICAL AMENDMENT TO THE BCLUP; AUTHORIZING THE TOWN ADMINISTRATOR TO APPLY FOR RECERTIFICATION OF THE AMENDMENT; AUTHORIZING THE TOWN ADMINISTRATOR TO AMEND THE TOWN'S FUTURE LAND USE PLAN MAP TO REFLECT THE AMENDMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property, described in Exhibit "A" attached hereto, is part of a larger property that the Town of Southwest Ranches purchased for use as a park and municipal government complex ("Park Property"); and

WHEREAS, the Town proposed to locate the municipal government complex on 5 acres of land within the Park Property, but southeast of the subject property; and

WHEREAS, the Town intended to utilize the subject property for recreation and open space purposes; and

WHEREAS, the Town of Southwest Ranches Town Council and Broward County Board of County Commissioners modified the land use plan map designation of the Park Property, less the site originally intended to house the municipal government complex, from Residential Estate to Recreation and Open Space; and

WHEREAS, the Town Council has determined that it is in the best interests of its residents to move the location of the proposed municipal government complex to the subject site; and

WHEREAS, the Recreation and Open Space land use plan designation does not permit governmental office or public safety facilities; and

WHEREAS, the Town Council wishes to change the designation of the subject property on the land use plans of the Town of Southwest Ranches and Broward County Land Use Plan from Recreation and Open Space to Community Facilities to facilitate the siting and construction of a municipal government administration and public safety complex at this location.

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance.

Section 2: That the land use plan map designation of the property described in Exhibit "A", attached hereto and made a part hereof, is hereby amended and changed from Recreation and Open Space to Community Facilities.

Section 3: That the Town Administrator or designee is hereby authorized to transmit an application for amendment to the Broward County Land Use Plan to the Executive Director of the Broward County Planning Council.

Section 4: That the Town Administrator or designee is hereby authorized to apply to the Broward County Planning Council for recertification of the subject (small scale) land use plan amendment.

Section 5: That the Town Administrator or designee shall, immediately following the effective date of this Ordinance, cause the Town of Southwest Ranches Future Land Use Plan Map to be updated to reflect this amendment.

Section 6: Conflicts. 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 7: 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.

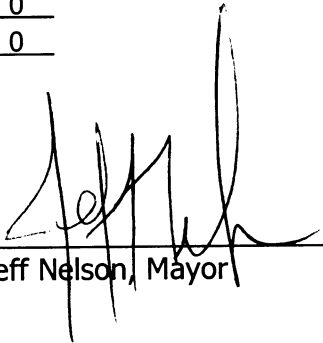
Section 8: Effective Date. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs, finding the amendment to be in compliance in accordance with Chapter 163.3184, Florida Statutes; or the date a final order is issued by the Administrative Commission finding the amendment to be in compliance in accordance with Section 163.3184, Florida Statutes.

PASSED ON FIRST READING this 10th day of July, 2008 on a motion made by Council Member Aster Knight and seconded by Council Member Don Maines.

PASSED AND ADOPTED ON SECOND READING this 11th day of December, 2008, on a motion made by Vice Mayor Steve Breitkreuz and seconded by Council Member Freddy Fisikelli.

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>



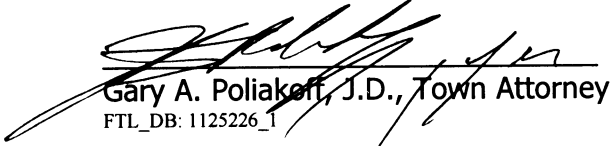
Jeff Nelson, Mayor

ATTEST:



Susan A. Owens, CMC, Town Clerk

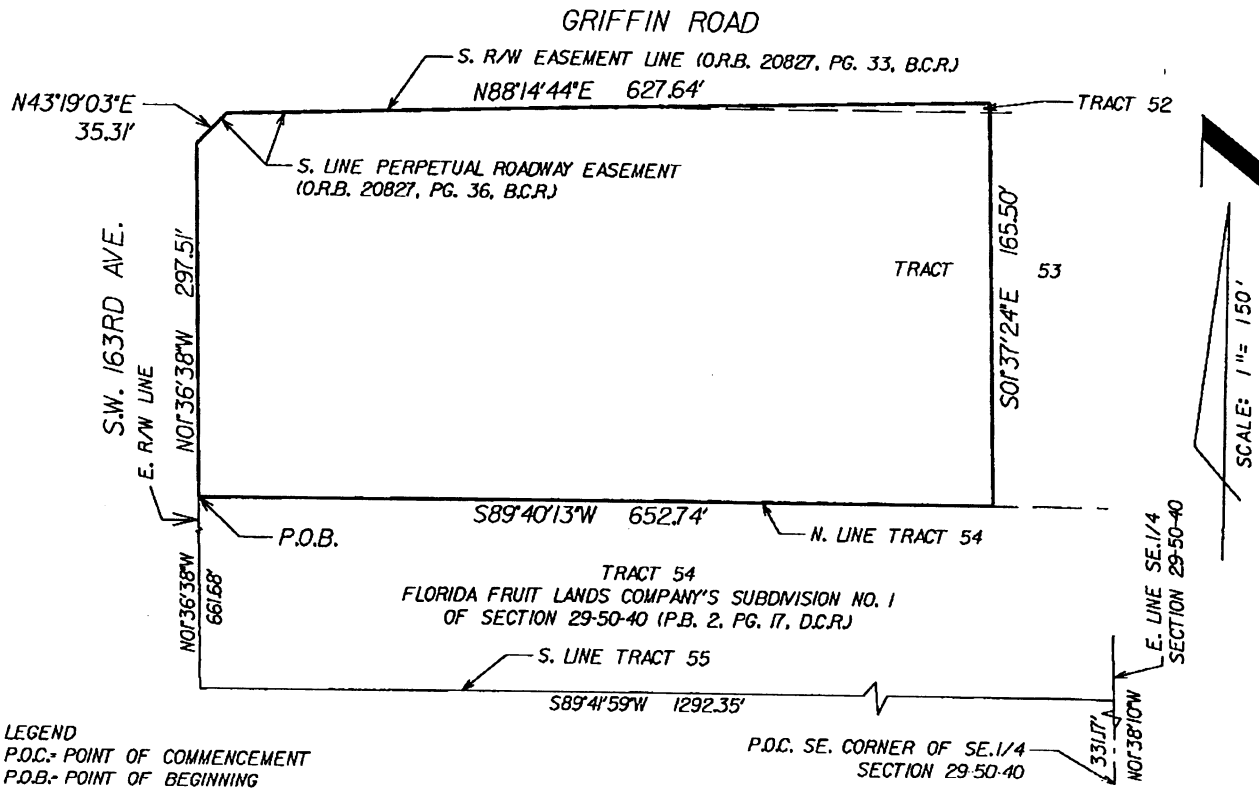
Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
FTL_DB: 1125226_1

EXHIBIT A

DESCRIPTION
 THOSE PORTIONS OF TRACTS 52 AND 53 OF THE S.E. 1/4 OF SECTION 29, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF THE S.E. 1/4 OF SAID SECTION 29; THENCE RUN NORTH 01°38'10" WEST (BASIS OF BEARINGS) 331.7 FEET ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 29, TO AN INTERSECTION WITH THE SOUTH LINE OF TRACT 55, ACCORDING TO SAID PLAT; THENCE RUN SOUTH 89°41'59" WEST 1292.35 FEET ALONG SAID SOUTH LINE TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF S.W. 163RD AVENUE, AS DESCRIBED ON THE INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 5226 AT PAGES 628 THROUGH 636 INCLUSIVE OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN NORTH 01°36'38" WEST 661.68 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°36'38" WEST 297.51 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THAT CERTAIN PERPETUAL ROADWAY EASEMENT AS DESCRIBED ON THE INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 20827 AT PAGE 36 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN NORTH 43°19'03" EAST 35.31 FEET ALONG SAID SOUTH LINE; THENCE RUN NORTH 88°14'44" EAST 627.64 FEET ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THAT CERTAIN RIGHT-OF-WAY EASEMENT AS DESCRIBED ON THE INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 20827 AT PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN SOUTH 01°37'24" EAST 165.50 FEET TO AN INTERSECTION WITH THE NORTH LINE OF TRACT 54, ACCORDING TO SAID PLAT; THENCE RUN SOUTH 89°40'13" WEST 652.74 FEET ALONG SAID NORTH LINE, TO THE POINT OF BEGINNING.
 SAID LANDS SITUATE IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA AND CONTAINING 215,404 SQUARE FEET OR 4.945 ACRES, MORE OR LESS.



LEGEND
 P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 O.R.B. - OFFICIAL RECORDS BOOK
 P.B. - PLAT BOOK
 D.C.R. - DADE COUNTY RECORDS
 B.C.R. - BROWARD COUNTY RECORDS

NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS IS NOT A SKETCH OF SURVEY. IT IS ONLY THE GRAPHIC REPRESENTATION OF THE DESCRIPTION DEPICTED HEREON.

BY: *Mark D. Sturgis* 4-24-08
 MARK D. STURGIS
 PROFESSIONAL SURVEYOR AND MAPPER NO. 4829
 STATE OF FLORIDA

SOUTHWEST MEADOWS SANCTUARY PLAT		SKETCH AND DESCRIPTION	
TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA		PARCEL A	
WINNINGHAM & FRADLEY, INC. ENGINEERS - PLANNERS - SURVEYORS 111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX: 954-771-0690		DRAWN: CEG DATE: 4-23-08 CHECKED: DATE:	PROJECT NUMBER SHEET S08-0003 1 OF 1