

**ORDINANCE NO. 2006 - 19**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING THOSE PORTIONS OF THE UNIMPROVED RIGHTS-OF-WAY FOR S.W. 193<sup>RD</sup> LANE AND S.W. 54<sup>TH</sup> PLACE, AS WELL AS CERTAIN DRAINAGE AND UTILITY EASEMENTS, ALL LOCATED WITHIN THE PLAT LIMITS OF "FRONTIER TRAILS" PLAT, RECORDED IN PLAT BOOK 97, PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBITS "A" AND "B" HERETO; AUTHORIZING THE PREPARATION AND EXECUTION OF THE EFFECTING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The Town is the legal owner of the lands lying within the plat of FRONTIER TRAILS, according to the plat thereof as recorded in Plat Book 97, Page 8 of the Public Records of Broward County, Florida (the "Land"), which said Land is located within the Town of Southwest Ranches; and

**WHEREAS**, the Land is unimproved, vacant land which, by virtue of certain government grant requirements and as approved by Town Resolution 2006-023, will be the location of a Conservation Easement as defined in Section 704.06, Florida Statutes; and

**WHEREAS**, Section 704.06(1)(a), Florida Statutes prohibits, among other things, the placing of roads and utilities within the Conservation Easement area; and

**WHEREAS**, the portions of the rights-of-way for S.W. 54<sup>th</sup> Place and S.W. 193<sup>rd</sup> Lane, located within the boundaries of the Land, as more particularly described in Exhibit "A," are unimproved and fail to serve a public purpose; and

**WHEREAS**, the platted drainage easements located within the boundaries of the Land, and as described in Exhibit "B", attached hereto and made a part hereof, are not being utilized and fail to serve a public purpose; and

**WHEREAS**, the platted utility easements located within the boundaries of the Land and as described in Exhibit "B", attached hereto and made a part hereof, are not being utilized and all the utility companies which would provide service to or through the Land, have produced letters of "no objection" to the vacation of the utility easements.

**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:** It is hereby determined that the platted rights-of-ways described in Exhibit "A" are no longer useful or needed as rights-of-ways, and it is in the public's best interest that each right-of-way be abandoned and vacated.

**Section 3:** The Town Council of the Town of Southwest Ranches, Florida hereby authorizes the vacation of the platted rights-of-ways as legally described in Exhibit "A" attached hereto, and that the subject rights-of-way shall revert to the adjoining and abutting property owner which has reversionary interest.

**Section 4:** It is hereby determined that the platted utility easements and drainage easements as described in Exhibit "B" are no longer useful or needed as drainage and/or utility easements and it is in the public's best interest that the drainage and utility easements be abandoned and vacated.

**Section 5:** The Town Council of the Town of Southwest Ranches, Florida hereby authorizes the vacation of the platted utility easements and drainage easements as legally described in Exhibit "B", attached hereto.

**Section 6:** The Town Attorney is hereby authorized to prepare any and all documents necessary to effectuate the intent of this Ordinance and the appropriate Town officials are hereby authorized to execute said documents.

**Section 7:** The Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida.

**Section 8: 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 9: 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 10: Effective Date.** This Ordinance shall take effect immediately upon its adoption.

**PASSED ON FIRST READING** this 1<sup>st</sup> day of June, 2006 on a motion made by Council Member Forest Blanton and seconded by Vice Mayor Don Maines.

**PASSED AND ADOPTED ON SECOND READING** this 6<sup>th</sup> day of July, 2006, on a motion made by Vice Mayor Don Maines and seconded by Council Member Aster Knight.

Fink	<u>Y</u>	Ayes	<u>5</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Blanton	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

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Mecca Fink, Mayor

Attest:

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Susan A. Owens, Town Clerk

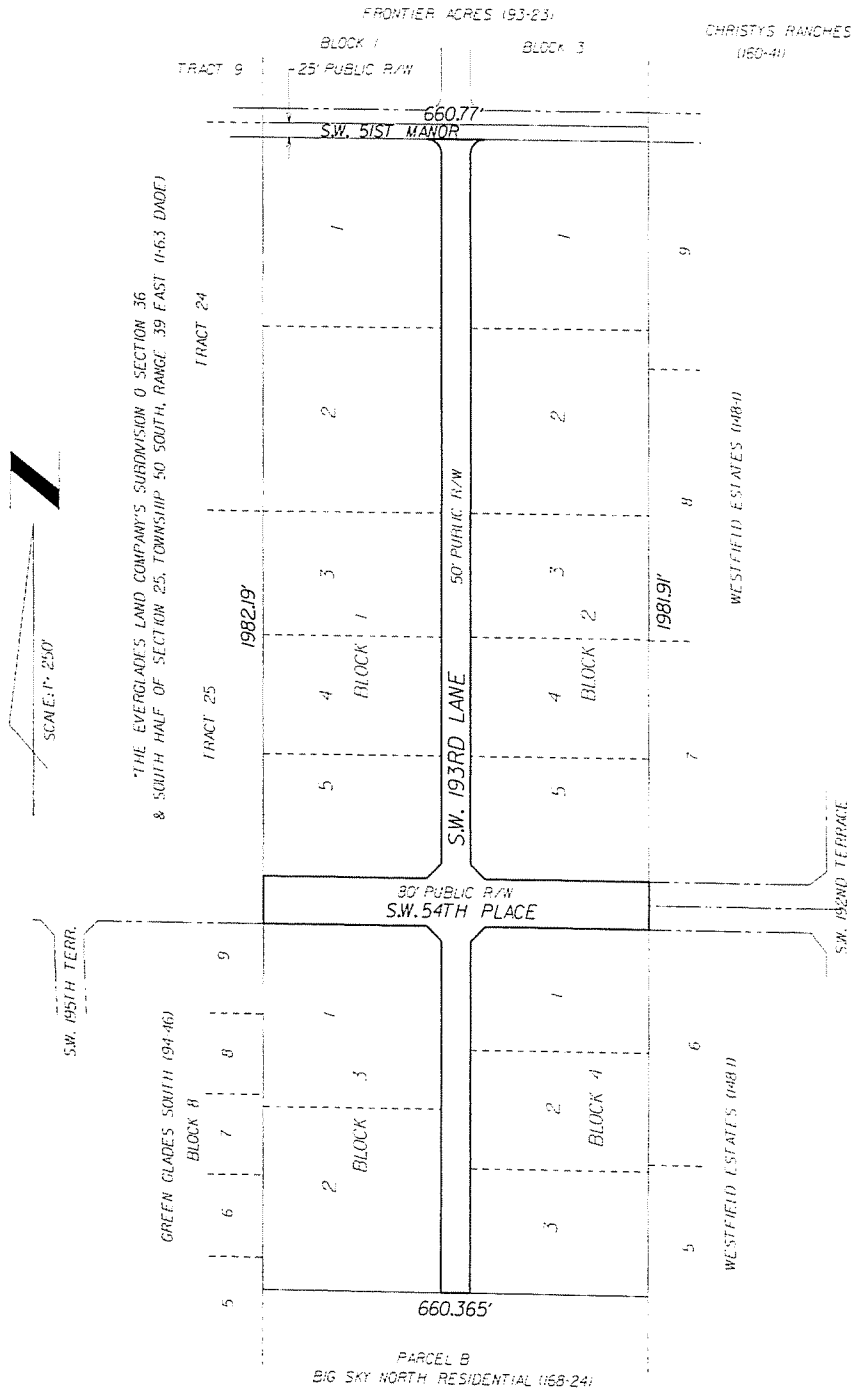
Approved as to Form and Correctness:

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

FTL\_DB: 982258\_1

DESCRIPTION  
 ALL OF THE THOROUGHFARES DEDICATED TO THE PUBLIC (DEPICTED AS S.W. 193RD LANE,  
 AND S.W. 54TH PLACE) ACCORDING TO THE PLAT OF "FRONTIER TRAILS",  
 AS RECORDED IN PLAT BOOK 97 AT PAGE 8 OF THE PUBLIC RECORDS OF BROWARD  
 COUNTY, FLORIDA.  
 SAID LANDS SITUATE IN BROWARD COUNTY, FLORIDA, AND CONTAINING 3.4025 ACRES,  
 MORE OR LESS.



By: Mark D. Sturgis 3-14-06  
 MARK D. STURGIS  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 4829  
 STATE OF FLORIDA

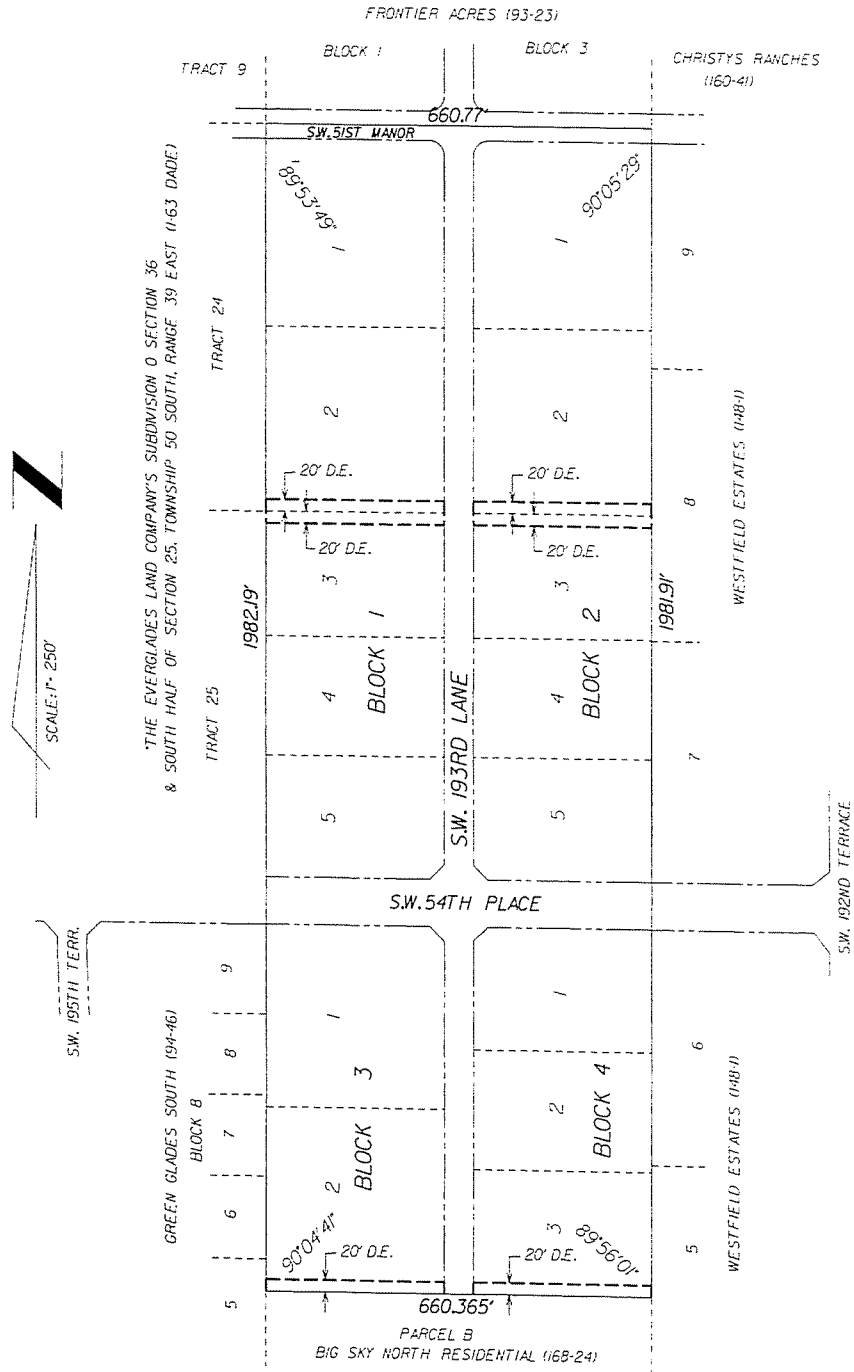
NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 THIS IS NOT A SKETCH OF SURVEY, IT IS ONLY THE GRAPHIC  
 REPRESENTATION OF THE DESCRIPTION DEPICTED HEREON.

REV. 3-13-06

"FRONTIER TRAILS"		SKETCH AND DESCRIPTION	
BROWARD COUNTY, FLORIDA		PUBLIC THOROUGHFARES TO BE VACATED	
<b>WINNINGHAM &amp; FRADLEY, INC.</b> ENGINEERS - PLANNERS - SURVEYORS <small>111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX 954-771-0299</small>		17 05	1 OF 1
...DRAWINGS\IS06-0004\ROADWAYS.dgn 3/13/2006 2:34:56 PM		S06-0004	1 OF 1

Exhibit "A"

DESCRIPTION  
 THE SOUTH 20 FEET OF LOT 2, BLOCK 1, THE NORTH 20 FEET OF LOT 3, BLOCK 1, THE SOUTH 20 FEET OF LOT 2, BLOCK 2, THE NORTH 20 FEET OF LOT 3, BLOCK 2, THE SOUTH 20 FEET OF LOT 2, BLOCK 3 AND THE SOUTH 20 FEET OF LOT 3, BLOCK 4, ACCORDING TO THE PLAT OF "FRONTIER TRAILS", AS RECORDED IN PLAT BOOK 97 AT PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
 SAID LANDS SITUATE IN BROWARD COUNTY, FLORIDA.



LEGEND  
 D.E.: DRAINAGE EASEMENT

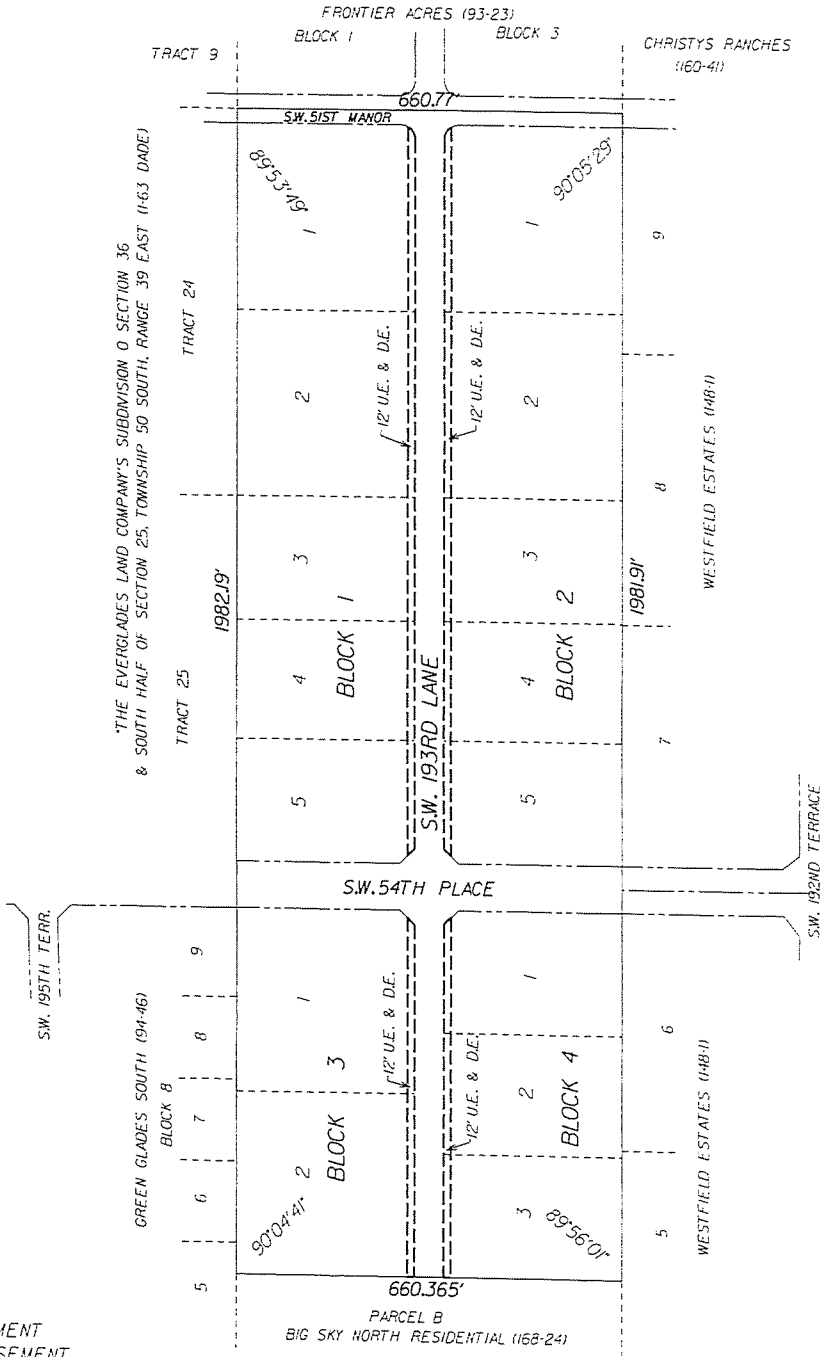
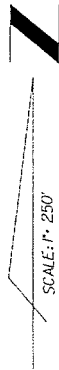
NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS IS NOT A SKETCH OF SURVEY. IT IS ONLY THE GRAPHIC REPRESENTATION OF THE DESCRIPTION DEPICTED HEREON.

BY: Mark D. Sturgis  
 MARK D. STURGIS  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 4829  
 STATE OF FLORIDA

"FRONTIER TRAILS" BROWARD COUNTY, FLORIDA		SKETCH AND DESCRIPTION DRAINAGE EASEMENTS	
		RE: 00002295 LB: 00002295 DATE: 11/18/2006	PROJECT: 506-0004 DATE: 11/18/2006 SHEET: 1 OF 2

Exhibit "B"

DESCRIPTION  
 THE EAST 12 FEET OF BLOCK 1, THE WEST 12 FEET OF BLOCK 2, THE EAST 12 FEET OF BLOCK 3 AND THE WEST 12 FEET OF BLOCK 4, ACCORDING TO THE PLAT OF 'FRONTIER TRAILS', AS RECORDED IN PLAT BOOK 97 AT PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE IN BROWARD COUNTY, FLORIDA.



LEGEND  
 U.E.: UTILITY EASEMENT  
 D.E.: DRAINAGE EASEMENT

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  
 MARK D. STURGIS  
 PROFESSIONAL SURVEYOR AND MAPPER NO. 4829  
 STATE OF FLORIDA

"FRONTIER TRAILS" BROWARD COUNTY, FLORIDA		SKETCH AND DESCRIPTION UTILITY AND DRAINAGE EASEMENTS TO BE VACATED	
<b>WINNINGHAM &amp; FRADLEY, INC.</b> ENGINEERS • PLANNERS • SURVEYORS 111 N.E. 44th STREET, OAKLAND PARK, FL 33334 954-771-7440 FAX: 954-771-0798	DRAWN: [ ] CHECKED: [ ] DATE: [ ]	DATE: 11-05 PROJECT NUMBER: S06-0004	SHEET: 2 OF 2