

**ORDINANCE NO. 2007 - 02**

**A ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING AND ABANDONING THAT PORTION OF THE 25 FOOT INGRESS/EGRESS AND UTILITY EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 3272, PAGE 650, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WITHIN THE PLAT OF STONE CREEK AT SUNSHINE RANCHES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 173, PAGE 156, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; AUTHORIZING THE PREPARATION AND EXECUTION OF ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDING AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Stone Creek at Sunshine Ranches, LLC, a Florida limited liability company, as the legal owner of Lots 7 and 8 of said STONE CREEK AT SUNSHINE RANCHES Plat, has petitioned the Town to vacate that portion of the Ingress/Egress and Utility Easement per Official Records Book 3272, Page 650, of the Public Records of Broward County, Florida, located within said Lots 7 and 8, as more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof; and

**WHEREAS**, the portion of the Ingress/Egress and Utility Easement located within said Lots 7 and 8 is not being utilized and fails to serve a public purpose; and

**WHEREAS**, all the utility companies which would provide service to the area, have provided letters of "no objection" to the vacation of the Ingress/Egress and Utility Easement; and

**WHEREAS**, all of the property owners who abut the portion of the Ingress/Egress and Utility Easement to be vacated have no objection to the vacation and have joined in the application for vacation.

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

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

**Section 2:** It is hereby determined that the Ingress/Egress and Utility Easement is not necessary for providing ingress and egress to any property abutting the easement area and therefore it is no longer useful or needed as a means of ingress and egress, and it is in the public's best interest that said Ingress/Egress and Utility Easement be abandoned and vacated.

**Section 3:** It is hereby determined that the Ingress/Egress and Utility Easement is no longer useful or needed as a utility easement, and it is in the public's best interest that the Ingress/Egress and Utility Easement be abandoned and vacated.

**Section 4:** That portion of the Ingress/Egress and Utility Easement per Official Records Book 3272, Page 650, of the Public Records of Broward County, Florida, located within said Lots 7 and 8, as more particularly described and depicted in Exhibit "A" attached hereto, is hereby vacated and abandoned.

**Section 5:** The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to execute any and all documents necessary to effectuate the intent of this Ordinance.

**Section 6:** The Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida.

**Section 7: 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 8: 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 9: Effective Date.** This Ordinance shall become effective immediately upon its adoption.

**PASSED ON FIRST READING** on this 14<sup>th</sup> day of September, 2006 on a motion made by Council Member Aster Knight and seconded by Council Member Jeff Nelson.

**PASSED ON SECOND READING** on this 9<sup>th</sup> day of November 2006 on a motion made by Council Member Jeff Nelson and seconded by Council Member Aster Knight.

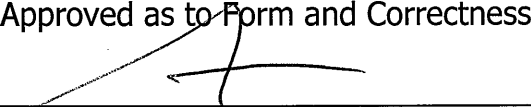
Fink	<u>Y</u>	Ayes	<u>4</u>
Maines	<u>N</u>	Nays	<u>1</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

  
Mecca Fink, Mayor

ATTEST:

  
Susan A. Owens, Town Clerk

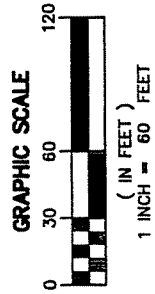
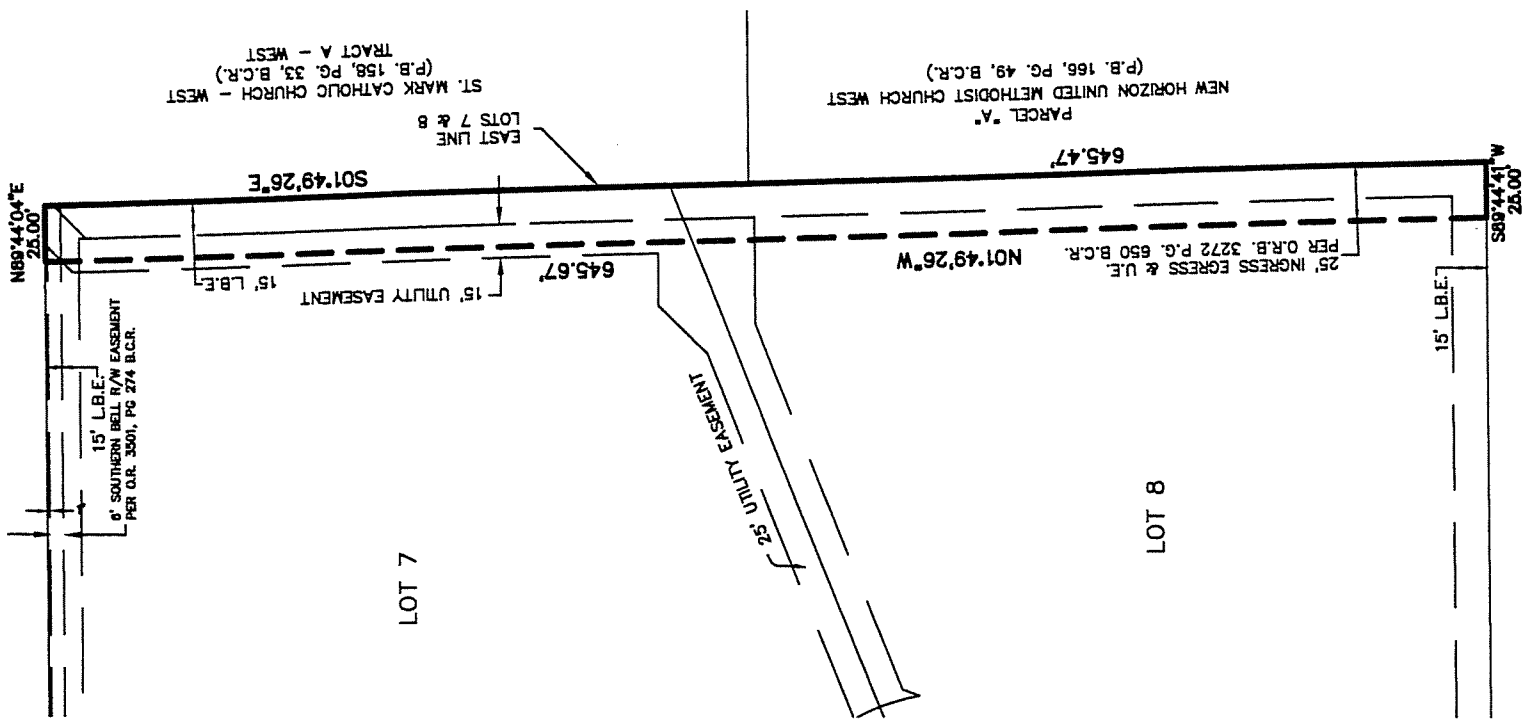
Approved as to Form and Correctness:

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

FTL\_DB: 1003569\_1

DESCRIPTION:

THE EAST 25' OF LOTS 7 & 8 OF "STONE CREEK AT SUNSHINE RANCHES" AS RECORDED IN PLAT BOOK 173 PAGES 156-158, BROWARD COUNTY RECORDS, LYING IN BROWARD COUNTY, FLORIDA AND CONTAINING 16,137 SQUARE FEET (0.370 ACRES) MORE OR LESS.



- LEGEND:**  
 P.B. = PLAT BOOK  
 P.G. = PAGE  
 O.R.B. = OFFICIAL RECORDS BOOK  
 B.C.R. = BROWARD COUNTY RECORDS  
 D.C.R. = DADE COUNTY RECORDS  
 R = RADIUS  
 L = ARC LENGTH  
 Δ = DELTA ANGLE  
 D.E. = DRAINAGE EASEMENT  
 L.B.E. = LANDSCAPE BUFFER EASEMENT  
 U.E. = UTILITY EASEMENT

**SKETCH & DESCRIPTION**

CERTIFIED TO:

**STONE CREEK ASSOC, LLC**  
E 25' LOTS 7 & 8

**MILLER LEGG**  
 South Florida Office: 1600 North Douglas Road - Suite 200  
 Pembroke Pines, Florida - 33024-3200  
 954-436-7000 • Fax: 954-436-8664  
 www.millerlegg.com

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 91017-9, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.067, FLORIDA STATUTES.  
 DATED THIS 10 DAY OF JUNE, 2008 A.D.  
*Karen A. Lynch*  
**KAREN A. LYNCH**  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION NO. 5837  
 NASSAU COUNTY, FLORIDA  
 RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER  
 CERTIFICATE OF AUTHORIZATION: UNB067

PROJECT NO. **03-00100**  
 FILE NO.

DATE	ADD AREA	REVISIONS	DWN.	CHK.
8-3-04				

DRAWN BY: CM CHECKED BY:

Exhibit "A"

# VC-011-06 STONE CREEK AT SUNSHINE RANCHES



0 75 150 225 300 600 Feet

STIRLING RD

