

RESOLUTION NO. 2015-039

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-011-15 RELATING TO 4.3 NET ACRES OF PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SW 61ST COURT AND SW 173RD WAY; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at a duly noticed public hearing held on April 7, 2015, the Town Council reviewed an application by Karla Wolfson to subdivide a single tract into two separate lots without platting; and

WHEREAS, the subject property is 4.3 net acres in area, abutting the south side of SW 61st Court and the west side of SW 173rd Way at the intersection of the two streets, and is legally described as the south 1/2 of Tract 9 in the northeast 1/4 of Section 6, Township 51 South, Range 40 East, according to the plat of "Chamber's Land Company Subdivision", as recorded in Plat Book 1, Page 5 of the Public Records of Broward County, Florida, less and except road right-of-way ;and

WHEREAS, the Property is designated Rural Ranches on both the Future Land Use Plan Map and Official Zoning Map, which designation requires 2.0 net or 2.5 gross acres per lot; and

WHEREAS, this application proposes lots of 2.2 and 2.1 acres of net land area, consistent with the land use and zoning designations; and

WHEREAS, both lots will have in excess of the 125 feet minimum width requirement of the Rural Ranches zoning district; and

WHEREAS, access is available to both proposed lots via SW 61st Court and SW 173rd Way.

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 9, 2015 following the review of the staff report and all written and oral evidence received during the public hearing,

the Town Council hereby approves Waiver of Plat Application No. WP-009-14 to subdivide the subject property as depicted and legally described in Exhibit "A", attached and made a part hereof by reference, subject to the condition that the applicant shall pay to the Town of Southwest Ranches an amount equal to the total expense incurred by the Town in processing this application prior to final recordation of the waiver of 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 waiver of plat.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall be recorded in the Public Records of Broward County, Florida.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches,

Florida, this 9th day of April, 2015, on a motion by *Jeff Jablonski* and seconded by *Tom Fisikelli*.

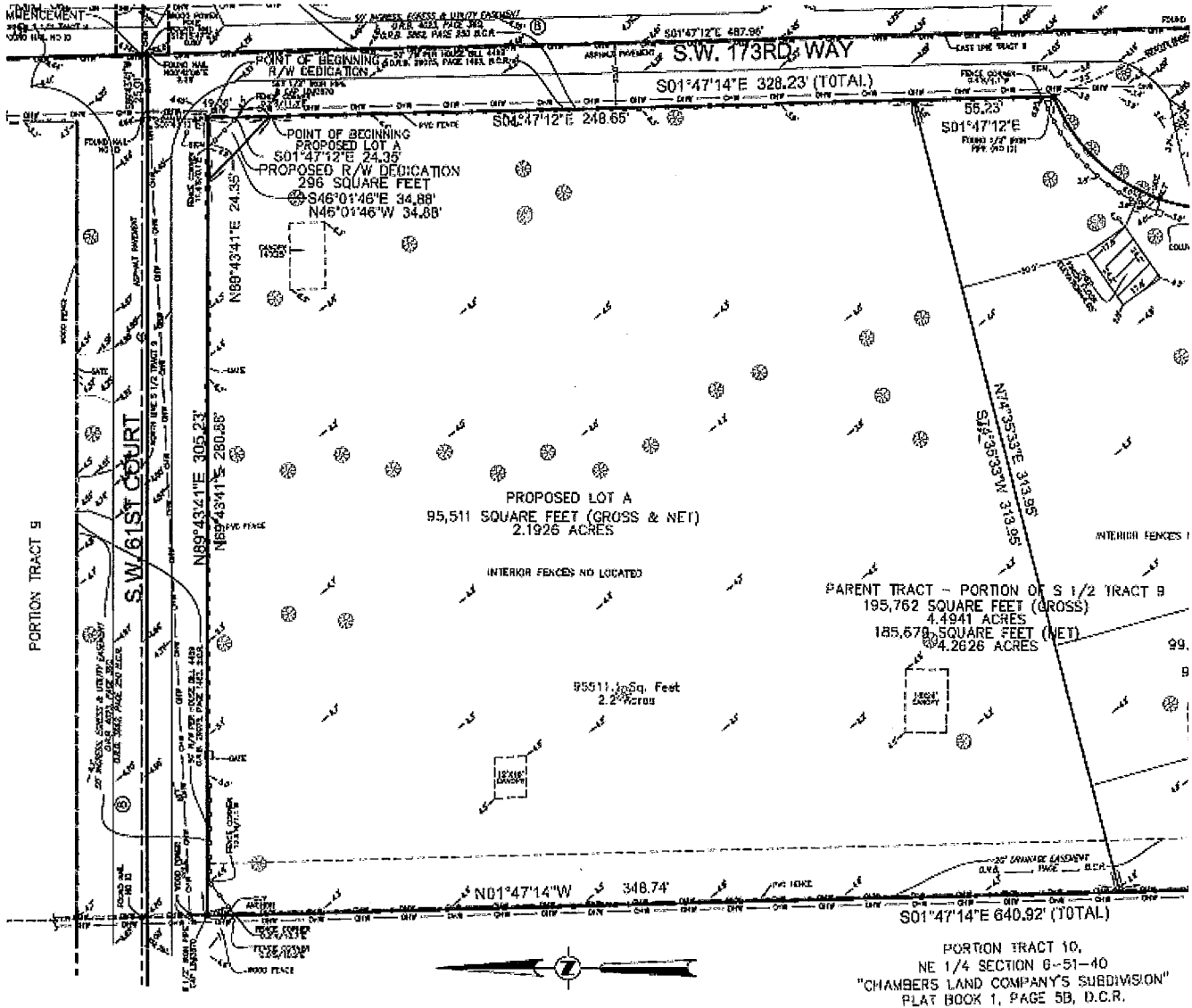
Nelson *aye*
Fisikelli *aye*
Breitkreuz *aye*
Jablonski *aye*
McKay *aye*

Ayes 5
Nays 0
Absent _____
Abstaining _____
Jeff Nelson
Jeff Nelson, Mayor

ATTEST:
Russell Muñiz
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:
Keith Poliakoff
Keith Poliakoff, J.D., Town Attorney

EXHIBIT "A" (2 of 3) SURVEY – LOT A



LEGAL DESCRIPTION:

PARENT TRACT:

THE SOUTH 1/2 OF TRACT 9 IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 51, SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF "CHAMBER'S LAND COMPANY SUBDIVISION", AS RECORDED IN PLAT BOOK 1, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF HOLLYWOOD, BROWARD COUNTY, FLORIDA AND CONTAIN 195,762 SQUARE FEET (4.4941 ACRES), MORE OR LESS

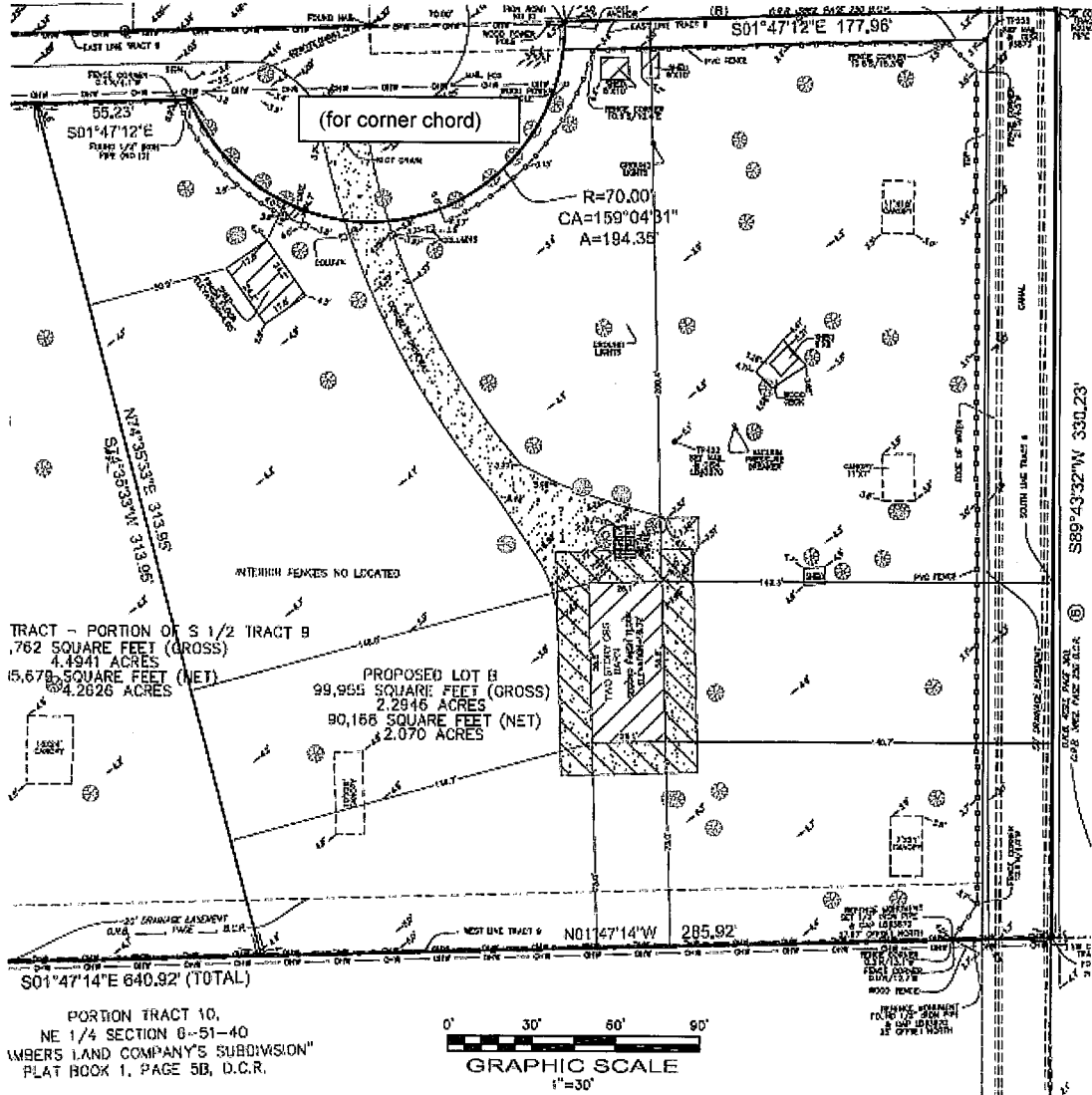
PROPOSED LOT A:

A PORTION OF THE SOUTH 1/2 OF TRACT 9 IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 51, SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF "CHAMBER'S LAND COMPANY SUBDIVISION", AS RECORDED IN PLAT BOOK 1, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF SAID TRACT 9; THENCE SOUTH 89°43'41" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID TRACT 9 FOR 25.01 FEET; THENCE SOUTH 01°47'12" EAST 49.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°47'12" EAST ON THE WEST RIGHT-OF-WAY LINE OF S.W. 173RD WAY PER HOUSE BILL 4469 RECORDED IN OFFICIAL RECORDS BOOK 29075, PAGE 1463, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA 242.39 FEET; THENCE SOUTH 74°35'33" WEST 313.95 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 9; THENCE NORTH 01°47'14" WEST ALONG SAID WEST LINE 348.74 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF S.W. 61ST COURT PER SAID HOUSE BILL 4469 RECORDED IN OFFICIAL RECORDS BOOK 29075, PAGE 1463, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 89°43'41" EAST ON SAID SOUTH RIGHT-OF-WAY LINE, A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID TRACT 9 FOR 280.88 FEET; THENCE SOUTH 46°0'46" EAST 34.88 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF HOLLYWOOD, BROWARD COUNTY, FLORIDA AND CONTAIN 93,602 SQUARE FEET (2.1488 ACRES), MORE OR LESS

EXHIBIT "A" (3 of 3) SURVEY – LOT B



PROPOSED LOT B:

A PORTION OF THE SOUTH 1/2 OF TRACT 9 IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 51, SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF "CHAMBER'S LAND COMPANY SUBDIVISION", AS RECORDED IN PLAT BOOK 1, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF SAID TRACT 9; THENCE SOUTH 01°47'12" EAST ALONG THE EAST LINE OF SAID TRACT 9 FOR 487.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°47'12" EAST ALONG SAID EAST LINE OF TRACT 9 FOR 177.96 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 9; THENCE SOUTH 89°43'32" WEST ALONG THE SOUTH LINE OF SAID TRACT 9 FOR 330.23 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 9; THENCE NORTH 01°47'14" WEST ALONG THE WEST LINE OF SAID TRACT 9 FOR 292.18 FEET; THENCE NORTH 74°35'33" EAST 313.95 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF S.W. 173RD WAY PER HOUSE BILL 4469 RECORDED IN OFFICIAL RECORDS BOOK 29075, PAGE 1463, OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 01°47'12" EAST ON SAID WEST RIGHT-OF-WAY LINE 61.49 FEET; TO A POINT ON THE ARC OF A CURVE FROM WHICH A RADIAL LINE BEARS SOUTH 22°41'13" EAST; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF CURVE TO THE LEFT, HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 159°04'31", FOR AN ARC DISTANCE OF 194.35 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA AND CONTAIN 101,864 SQUARE FEET (2.3385 ACRES), MORE OR LESS.

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Resolution No. 2015-