

RESOLUTION NO. 2004-09

A RESOLUTION OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER AND SEWER SERVICES TO STONE CREEK AT SUNSHINE RANCHES, A HOUSING DEVELOPMENT LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AND PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Stone Creek at Sunshine Ranches, together with Alberto Mejia and Nelly Mejia (collectively, "Owners"), are the owners of property lying within the Town of Southwest Ranches, Florida, on which property, described in Exhibit A and attached hereto, will be constructed a housing development consisting of single family homes; and

WHEREAS, the owners are desirous of obtaining water and sewer services for the property, however, water and sewer services are not available from the Town of Southwest Ranches; and

WHEREAS, the City of Cooper City, a neighboring municipality, has water and sewer services and is willing to provide said services to Stone Creek at Sunshine Ranches; and

WHEREAS, the owners of the subject property are desirous of obtaining water and sewer services from the City of Cooper City; and

WHEREAS, the Town of Southwest Ranches has no objection to the City of Cooper City providing water and sewer services to Stone Creek at Sunshine Ranches, or to any other property owner within the Town of Southwest Ranches whose property is within the vicinity of the proposed utility services and is desirous of obtaining water and sewer services from the City of Cooper City; and

WHEREAS, as a condition, and in consideration, of this Resolution being adopted, the Owners and others seeking water and sewer services from the City of Cooper City agree that he/she/it/they shall solely be responsible for all costs of connecting to the water and sewer services from the City of Cooper City, including all ongoing costs of water, sewer and maintenance of the utility connections.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida, as follows:

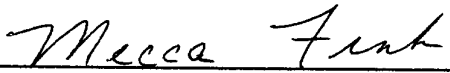
Section 1: Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2: The Town of Southwest Ranches, Florida, subject to the conditions set forth in Section 3, hereby consents to the City of Cooper City providing water and sewer services to Stone Creek at Sunshine Ranches, and to other property owners within the Town of Southwest Ranches whose property is in the vicinity of Stone Creek at Sunshine Ranches, providing that the provision of water and sewer services is voluntary and is requested by the Owners and other property owners within the vicinity of Stone Creek at Sunshine Ranches, and that the property owners requesting said services from the City of Cooper City provide the Town of Southwest Ranches with a letter in which he/she/it/they acknowledge that he/she/it/they are desirous of obtaining water and sewer services from the City of Cooper City and that he/she/they/it agree to be solely responsible for the cost of water and sewer services, including the maintenance of all connections.

Section 3: The Owners shall provide a utility easement within or adjacent to the drainage easement, which shall be reflected on the plat, and shall lie between the east edge of the ingress/egress easement shown on the proposed plat, extending to the eastern property line for the four southernmost lots, all the way to the Stirling Road right of way. The Owners shall permit those abutting property owners, who desire to do so, to connect to the Cooper City System, provided that said abutting owners obtain, maintain and/or grant, as the case may be, all necessary easements across their property or neighboring properties. The aforesaid easement shall be delineated on the plat and is a condition precedent to this Resolution becoming effective.

Section 4: Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 13th day of November 2003.



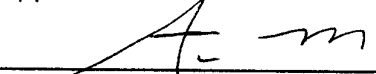
Mecca Fink, Mayor

Attest:



Shari Canada, Town Clerk

Approved as to Form and Correctness:



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