

RESOLUTION NO. 2004-42

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE MENA PLAT; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID PLAT; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, the Mena Plat is described as a portion of Tract 14, "Everglades Sugar and Land Company's Subdivision", according to the plat thereof as recorded in Plat Book 2, Page 39 of the public records of Miami-Dade County, Florida, said portion lying and particularly described as follows:

Commencing at the Northwest corner of said Section 2; Thence along the North line of said Section 2, North 89°43'46" East, 659.76 feet to an intersection with the West line of said Tract 14; Thence South 01°49'58" East, along said West line, 40.02 feet to the point of beginning; Thence, along a line 40.00 feet South of and parallel with said North line, North 89°43'46" East, 165.06 feet to a point on a line 165.00 feet East of and parallel with said West line; Thence, along said parallel line, South 01°49'58" East, 30.01 feet; Thence South 00°50'38" West, 321.20 feet to a point on a line 172.16 feet East of and parallel with said West line; Thence, along said parallel line, South 01°49'58" East, 170.00 feet; Thence North 88°10'02" East, 22.16 feet to a point on a line 172.16 feet East of and parallel with said West line; Thence, along said parallel line, South 01°49'58" with said West line; Thence, along said parallel line, South 01°49'58" East, 100.13 feet to a point on the South line of the North one-half (N. ½) of said Tract 14; Thence, along said South line, South 89°43'28" West, 172.22 feet to a point on the West line of said Tract 14; Thence, along said West line, North 01°49'58" West, 620.81 feet to the point of beginning.

Said lands lying and being in the Town of Southwest Ranches, Broward County, Florida. Containing 98,193 Square Feet (2.2542 Acres), More or Less

Generally located on the South side of Stirling Road between 130th Avenue and 136th Avenue; and

WHEREAS, at a duly noticed public hearing held on February 12, 2004, the Town Council reviewed the Mena Plat, which provides for one (1) single-family dwelling unit to be built on an approximately 2.25 net acre parcel; and

WHEREAS, the parcel has both a land use and zoning designation of Rural Ranches, which allows residential development at one unit per two and one-half gross acres, or one unit per two net acres, with a minimum lot width of 125 feet; and

WHEREAS, the proposed lot complies with the minimum net lot size and dimension requirements

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 February 12th, 2004, following the review of the staff report and all written and oral evidence received during the public hearing, the Town Council hereby approves the Mena Plat subject to the following agreed upon conditions:

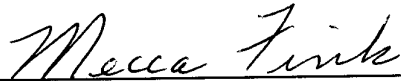
- a. That there is sufficient capacity of the regional roadway network as determined by Broward County. In the event that sufficient capacity is not met, then the plat shall be denied by the Town.
- b. That a local park impact fee will be paid or a Recreational Impact Fee Agreement will be executed by the owner prior to the second and final signoff of the plat by the Town.
- c. That the Town Attorney will review and will approve all necessary legal information, including the Opinion of Title.
- d. That the owner dedicates an additional fifteen (15) feet of right-of-way adjacent to Stirling Road at the north property line prior to plat recordation.
- e. That the owner executes the Town's Declaration of Restrictive Covenants Agreement to allow Stirling Road to maintain the current asphalt width in the area contiguous to the plat, prior to the second and final signoff of the Plat by the Town.
- f. That the owner executes the Town's Waiver of Sidewalks Requirement Agreement, for the North side of the right-of-way on Stirling Road, prior to the second and final signoff of the Plat by the Town.

- g. That the owner constructs the necessary guardrails adjacent to Stirling Road.

Section 3. The Mayor, Town Administrator and Town Attorney are each authorized to execute said plat.


Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 12th day of February, 2004.



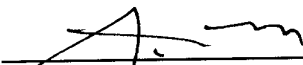
Mecca Fink, Mayor

Attest:



Shari Canada, Town Clerk

Approved as to Form and Correctness:



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