

RESOLUTION NO. 2020 - 024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AND ACCEPTING A PUBLIC RIGHT OF WAY DEDICATION ALONG SW 188th AVENUE; ACCEPTING THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PUBLIC RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain residents along SW 188th Avenue in the Town of Southwest Ranches own to the center of the existing roadway; and

WHEREAS, certain residents along SW 188th Avenue have agreed to convey the land depicted and legally described in Exhibit "A", attached hereto and made a part hereof, for purposes of use as a public road right-of-way (hereinafter referred to as the "Land"); and

WHEREAS, Town Staff has determined that it is in the best interest of the Town to (i) accept title to the Land for the purpose of a public road right-of-way (ROW) and for drainage; and (ii) accept the perpetual maintenance obligation of the ROW.

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

SECTION 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Town Council hereby approves the conveyance of title for the Land to the Town, by the execution and delivery of a Quit Claim Deed(s) from the residents who currently own the Land, or portions thereof.

SECTION 3. The Town Council hereby approves the dedication of the Land as a public a right-of-way to be used for ingress/egress, drainage and utilities.

SECTION 4. The Mayor or Vice Mayor and the Town Administrator, as attested by the Town Clerk and approved as to legal form and correctness by the Town Attorney, are hereby authorized and directed to accept and record any and all documents as may be required in connection with effecting the foregoing resolutions, including but not limited to the Quit Claim Deeds; affidavits; Partial Releases of Mortgages and any other documents required to further effectuate the intent of this Resolution.

SECTION 5. SAVINGS CLAUSE. If any section, paragraph, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unenforceable, such decision shall not affect the validity of the remaining sections, paragraphs, sentences, clauses or phrase of this Resolution.

SECTION 6. CONFLICTS. All resolutions or parts thereof which conflict herewith are, to the extent of such conflict, superseded and repealed.

SECTION 7. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

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

Florida, this 27th day of February, 2020, on a motion by

Council Member Jablonski, seconded by Vice Mayor Schroeder.

McKay	<u>yes</u>	Ayes	<u>5</u>
Schroeder	<u>yes</u>	Nays	<u>0</u>
Amundson	<u>yes</u>	Absent	<u>0</u>
Hartmann	<u>yes</u>	Abstaining	<u>0</u>
Jablonski	<u>yes</u>		

ATTEST:

Russell Muñiz
Russell Muñiz, Assistant Town Administrator/Town Clerk

Doug McKay
Doug McKay, Mayor

Approved as to legal Form and Correctness

Keith M. Poliakoff, Esq., Town Attorney
36601497.1

EXHIBIT A

THE EASTERLY 25.00 FEET OF THE WEST ½ OF THE SOUTH 131.00 FEET OF TRACT 19, "THE EVERGLADES LAND COMPANY'S SUBDIVISION OF SECTION 1, TOWNSHIP 51 SOUTH, RANGE 39 EAST", AS RECORDED IN PLAT BOOK 2, AT PAGE 1 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.