

RESOLUTION NO. 2021-026

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-26-20 TO SUBDIVIDE 4.78 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.78 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HOLATEE TRAIL APPROXIMATELY 2,000 FEET SOUTH OF PALOMINO DRIVE; LEGALLY DESCRIBED AS THE NORTH HALF OF TRACT 8 LESS THE EAST 20 FEET, EVERGLADE SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA; 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, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

WHEREAS, at a duly noticed public hearing held on February 11, 2021 the Town Council reviewed Waiver of Plat Application No. WP-26-20 by MPC Family Holdings, LLP ("Petitioner") to subdivide 4.78 net acres into two lots of 2.0 and 2.78 acres; and

WHEREAS, the proposed subdivision complies with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC.

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 11, 2021 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-26-20 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels

described and depicted in Exhibit "B" attached hereto and made a part hereof, subject to the following condition:

The property owner shall construct a berm prior to June 1, 2021 that the Town Engineer deems acceptable for preventing stormwater from running off onto abutting lots to the north and south. The berm may be interim in nature until such time as a permanent berm is constructed in compliance with Town and CBWCD regulations.

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 approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

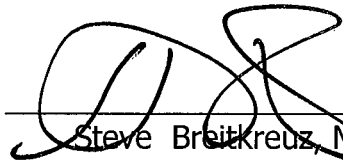
Section 5. This Resolution shall not be recorded until the condition of approval in Section 2 herein is met.

Section 6. This Resolution shall become effective upon its recordation.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of February 2021, on a motion by Vice Mayor Hartmann and seconded by Council Member Kuczenski.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		

[Signatures are on the Following Page]




Steve Breitkreuz, Mayor

ATTEST:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney
37949553.1

Exhibit "A"

Parent Tract Legal Description

THE NORTH 1/2 OF TRACT 8, LESS THE EAST 20 FEET THEREOF, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

Exhibit "B"

Legal description of Subdivided Lots

LOT 1

LEGAL DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 165.09 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'01" WEST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8 FOR 624.01 FEET; THENCE NORTH 00°17'00" WEST 140.03 FEET; THENCE NORTH 89°43'00" EAST ALONG A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 8 FOR 620.30 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL), THE AFOREMENTIONED LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID PARALLEL LINE 140.08 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 87,120 SQUARE FEET (2.0000 ACRES), MORE OR LESS.

LOT 2

LEGAL DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 305.17 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'00" WEST 620.30 FEET; THENCE SOUTH 00°17'00" EAST 140.03 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8; THENCE SOUTH 89°43'01" WEST ALONG SAID SOUTH LINE 631.96 FEET TO A POINT ON A LINE LYING 5.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID TRACT 8; THENCE NORTH 01°48'59" WEST ALONG SAID PARALLEL LINE 165.08 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 8; THENCE NORTH 89°43'00" EAST ALONG SAID NORTH LINE 1256.02 FEET TO A POINT ON THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE AND SAID LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL LINE 25.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 120,154 SQUARE FEET (2.7584 ACRES), MORE OR LESS.

2

RESOLUTION NO. 2021-026

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-26-20 TO SUBDIVIDE 4.78 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.78 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HOLATEE TRAIL APPROXIMATELY 2,000 FEET SOUTH OF PALOMINO DRIVE; LEGALLY DESCRIBED AS THE NORTH HALF OF TRACT 8 LESS THE EAST 20 FEET, EVERGLADE SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA; 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, Section 115-070 of the Town of Southwest Ranches Unified Land Development Code ("ULDC") requires Town Council approval of a Plat or Waiver of Plat Application prior to the subdivision of a parcel; and

WHEREAS, at a duly noticed public hearing held on February 11, 2021 the Town Council reviewed Waiver of Plat Application No. WP-26-20 by MPC Family Holdings, LLP ("Petitioner") to subdivide 4.78 net acres into two lots of 2.0 and 2.78 acres; and

WHEREAS, the proposed subdivision complies with the minimum lot size and dimensional requirements of the effective land use plan and zoning designations, has legal and sufficient access, and will not create or exacerbate any nonconformities with the development standards of the ULDC.

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 11, 2021 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-26-20 to subdivide the property described in Exhibit "A" attached hereto and made a part hereof, into two parcels



CERTIFICATION
I certify this to be a true and correct copy of the record.
WITNESSETH my hand and official seal of the Town of Southwest Ranches, Florida this 13 day of May, 2021
Deputy Town Clerk

[Signature]

(b)

described and depicted in Exhibit "B" attached hereto and made a part hereof, subject to the following condition:

The property owner shall construct a berm prior to June 1, 2021 that the Town Engineer deems acceptable for preventing stormwater from running off onto abutting lots to the north and south. The berm may be interim in nature until such time as a permanent berm is constructed in compliance with Town and CBWCD regulations.

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 approval shall expire 180 days from the date of approval if this Resolution is not first recorded in the Public Records of Broward County, Florida.

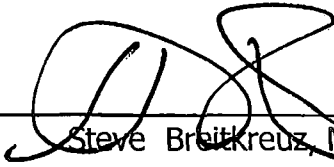
Section 5. This Resolution shall not be recorded until the condition of approval in Section 2 herein is met.

Section 6. This Resolution shall become effective upon its recordation.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of February 2021, on a motion by Vice Mayor Hartmann and seconded by Council Member Kuczenski.


Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		

[Signatures are on the Following Page]




Steve Breitkreuz, Mayor

ATTEST:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney
37949553.1

Exhibit "A"

Parent Tract Legal Description

THE NORTH 1/2 OF TRACT 8, LESS THE EAST 20 FEET THEREOF, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

Exhibit "B"

Legal description of Subdivided Lots

LOT 1

LEGAL DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 165.09 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'01" WEST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8 FOR 624.01 FEET; THENCE NORTH 00°17'00" WEST 140.03 FEET; THENCE NORTH 89°43'00" EAST ALONG A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 8 FOR 620.30 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL), THE AFOREMENTIONED LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID PARALLEL LINE 140.08 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 87,120 SQUARE FEET (2.0000 ACRES), MORE OR LESS.

LOT 2

LEGAL DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF TRACT 8, "THE EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50S., RANGE 40E.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 89°43'02" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 40.01 FEET; THENCE NORTH 01°47'52" WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34 FOR 305.17 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF SW 136TH AVENUE (HOLATEE TRAIL) AS RECORDED IN OFFICIAL RECORDS BOOK 4230, PAGE 627, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°43'00" WEST 620.30 FEET; THENCE SOUTH 00°17'00" EAST 140.03 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 8; THENCE SOUTH 89°43'01" WEST ALONG SAID SOUTH LINE 631.96 FEET TO A POINT ON A LINE LYING 5.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID TRACT 8; THENCE NORTH 01°48'59" WEST ALONG SAID PARALLEL LINE 165.08 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 8; THENCE NORTH 89°43'00" EAST ALONG SAID NORTH LINE 1256.02 FEET TO A POINT ON THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE AND SAID LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 01°47'52" EAST ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL LINE 25.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 120,154 SQUARE FEET (2.7584 ACRES), MORE OR LESS.