

RESOLUTION NO. 2022-241

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ACCEPTING A UTILITY EASEMENT OVER, ACROSS, THROUGH, IN, AND UNDER A PORTION OF LAND GENERALLY LOCATED AT 3702 STAGECOACH DRIVE, RELATING TO PARCEL NUMBER 484208110010, BY THE CITY OF COCONUT CREEK, MORE SPECIFICALLY DESCRIBED IN COMPOSITE EXHIBIT "1;" PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Lift Station #15 was built in the year 2000 on parcel "A" of the Banyan Trails Plat, as part of Banyan Trails Development; and

WHEREAS, for consistency with the City's procedures and legal requirements, a formal utility easement is being granted to the City as part of this resolution; and

WHEREAS, the City Commission of the City of Coconut Creek determines it is in the best interests of the health, safety, and welfare of the residents to accept the utility easement, attached hereto and incorporated herein as Composite Exhibit "1" (the "Utility Easement"), over, across, through, in, and under a portion of land generally located at 3702 Stagecoach Drive, Parcel number 484208110010 (the "Property"), for the purposes of water, wastewater, and any other utilities, located thereon, to install, construct, operate, maintain, repair, replace, and reconstruct said utilities, as necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, 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. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Commission hereby accepts the Utility Easement, attached as Composite Exhibit "1," within the property generally located at 3702 Stagecoach Drive, Parcel number 484208110010, for the purposes of water, wastewater, and any other utility needs.

Section 3: That the City Commission hereby directs the City Clerk, or designee, to record the Utility Easement, attached hereto as Composite Exhibit "1," in the Public Records Books of Broward County, Florida.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 8th day of December, 2022.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell Aye

Welch Aye

Tooley Aye

Railey Aye

Brodie Aye