

RESOLUTION NO. 2021-150

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 TRACT “B” OF THE COMMERCE CENTER OF COCONUT CREEK PLAT, RELATING TO PARCEL NUMBER 484218030022, 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, as part of the expansion of the Infiniti of Coconut Creek Project, water and wastewater infrastructure was constructed pursuant to the City’s Code of Ordinances, standards, and specifications; and

WHEREAS, the City Commission of the City of Coconut Creek determines it is in the best interest of the health, safety, and welfare of the residents to accept the utility easement, attached as Composite Exhibit “1” (the “Utility Easement”), over, across, through, in, and under a portion of land generally located within the Infiniti of Coconut Creek Project, Parcel number 484218030022, and legally described as a portion of Tract “B” of the Commerce Center of Coconut Creek Plat, recorded in Plat Book 131, Page 30, of the Public Records of Broward County, Florida, (the “Property”) for the purposes of water, wastewater and corresponding utilities, located thereon, to install, construct, operate, maintain, repair, replace, and reconstruct said utilities as necessary, and more particularly described therein.

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” for the property generally located within the Infiniti of

Coconut Creek Project, Parcel number 484218030022, for the purposes of water, wastewater, and any corresponding utility needs.

Section 3: That the City Commission 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 9th day of September, 2021.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

Tooley Aye

Rydell Aye

Sarbone Aye

Welch Aye

Railey Aye