

**RESOLUTION NO. 2019-207**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, TO APPROVE THE SUBMITTAL OF A LETTER FROM THE CITY MANAGER REQUESTING THE CONVEYANCE OF TITLE TO A PORTION OF THE RIGHT-OF-WAY OF NW 45 STREET FROM BROWARD COUNTY TO THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Broward County is the owner of a portion of the right-of-way for NW 45 Street within the City of Coconut Creek, pursuant to 1) a Right-of-Way Deed dated March 3, 1960, recorded in Official Records Book 1864, Page 533, of the Public Records of Broward County, Florida, and 2) a Right-of-Way Deed dated March 3, 1960, recorded in Official Records Book 1864, Page 531, of the Public Records of Broward County, Florida, prior to the incorporation of the City; and

**WHEREAS**, the City owns the balance of the right-of-way for NW 45 Street, and has been maintaining the entirety of this local road since the City's incorporation in 1967; and

**WHEREAS**, it is in the best interest of the City to legally own the entire right-of-way to facilitate repairs and necessary maintenance.

**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 has reviewed and hereby approves the attached letter from the City Manager to Broward County, requesting the conveyance of title to a portion of the right-of-way of NW 45 Street from Broward County to the City of Coconut Creek, described in the Right-of-Way Deed recorded in Official Records Book 1864, Page 533, of the Public Records of Broward County, Florida, and the Right-of-Way Deed recorded in Official Records Book 1864, Page 531, of the Public Records of

Broward County, Florida, copies of which are attached hereto and incorporated herein as Exhibit "A."

**Section 3:** 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 4:** That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 12<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Sandra L. Welch, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Welch	<u>Aye</u>
Sarbone	<u>Absent</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>

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