

**ORDINANCE NO. 2016-45**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE CONVEYANCE OF A UTILITY EASEMENT AS MORE PARTICULARLY DESCRIBED IN THE UTILITY EASEMENT DEED, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A" AND AN ACCESS EASEMENT ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "B" FROM THE CITY OF COCONUT CREEK TO THE CITY OF MARGATE, FOR THE PROVISION AND MAINTENANCE OF WATER AND SEWER UTILITIES AT FIRE STATION 50; AND A BILL OF SALE ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "C" TO TRANSFER THE PIPES FROM THE CITY OF COCONUT CREEK TO THE CITY OF MARGATE; AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED UTILITY EASEMENT DEED, ACCESS EASEMENT, AND BILL OF SALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Margate requires that the City of Coconut Creek provide utility and access easements for the purpose of accessing and maintaining water distribution and wastewater collection lines that service Fire Station 50; and

**WHEREAS**, the aforementioned easements include a strip of land 10.00 feet wide over installed water lines and 12.00 feet wide over installed sewer lines as well as the land necessary to access these utilities, being generally known as a portion of "Coconut Creek Parkplex Plat Parcel B," according to the Plat thereof, as recorded in Plat Book 173, Page 65, of the Public Records of Broward County, Florida, which is generally located on the southwest corner of Coconut Creek Parkway and NW 45 Avenue, as more particularly described in Exhibits "A" and "B," attached hereto; and

**WHEREAS**, the City Commission has determined that it is in the best interest of the City to dedicate said easements for the purpose of providing access to allow for the provision and maintenance of water and sewer lines at Fire Station 50.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the City Commission hereby approves the conveyance of a utility easement as set forth in the Utility Easement Deed, attached hereto and made a part hereof as Exhibit "A" and an access easement attached hereto and made a part hereof as Exhibit "B" and a Bill of Sale to transfer the utility pipes attached hereto and made a part hereof as Exhibit "C" from the City of Coconut Creek to the City of Margate.

**Section 2:** That the Mayor is hereby authorized to execute the attached Utility Easement Deed, Access Easement, and Bill of Sale granting said easements to the City of Margate.

**Section 3:** That in the event any provision or application of the Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

**Section 4:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**Section 5:** That this Ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 10th DAY OF NOVEMBER, 2016.**

**PASSED SECOND READING THIS 8th DAY OF DECEMBER, 2016.**

\_\_\_\_\_  
Mikkie Belvedere, Mayor

Attest:

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

	<u>1st</u>	<u>2nd</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>