

**RESOLUTION NO. 2019-045**

**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 LYING WITHIN A SECTION OF BERBER PLAT TWO AND BILL OF SALE FROM FC LAND INVESTMENTS A, LLC, TO THE CITY OF COCONUT CREEK, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBITS "1" AND "2," RESPECTIVELY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, as part of the development of Midtown Residences (Monarch Station) at Coconut Creek, water and wastewater infrastructure was constructed per City standards and specifications; and

**WHEREAS**, the City Commission of the City of Coconut Creek determines it to be in the best interests of the health, safety, and welfare of the residents to accept the utility easement, attached as Exhibit "1," and the Bill of Sale, attached as Exhibit "2" of the utility easement, from FC Land Investments A, LLC, a Florida limited liability company, over, across, through, in, and under a portion of land lying in parcels "A" and "B," together with buffer tracts B-1, B-2, and B-3, and together with right-of-way tract 2, according to the Berber Plat, as recorded in Plat Book 170, Page 105, of the Public Records of Broward County, Florida for the purposes of water, wastewater, and any other utility, located thereon, to install, construct, operate, maintain, repair, replace, and reconstruct said utilities as necessary upon release of the maintenance bond by the City to the developer.

**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.

**Section 2:** That the City Commission hereby accepts the utility easement, attached as Exhibit "1," and the Bill of Sale, attached as Exhibit "2," from FC Land Investments A, LLC.

**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 the City Commission directs the City Clerk to record the utility easement and Bill of Sale, attached hereto and made a part hereof as Exhibit "1," in the Public Records Books of Broward County, Florida. And further, record a certified copy of the resolution, utility easement, and Bill of Sale in the Public Records of Broward County, Florida.

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

**Adopted this 14<sup>th</sup> day of March, 2019.**

\_\_\_\_\_  
Joshua Rydell, Mayor

Attest:

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

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