

ORDINANCE NO. 2016-27

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS RESIDENCE INN GENERALLY LYING OVER AND ACROSS PORTIONS OF PARCEL "A" OF THE GRIF'S WESTERN AT COCONUT CREEK PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 180, PAGE 135 THROUGH 136, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A;" PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR CONDITIONS TO VACATE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek seeks to vacate and abandon a utility easement along the west side of the property more particularly described in Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, the utility easement does not include any existing utilities; and

WHEREAS, replacement utility easements have been dedicated to serve the development; and

WHEREAS, all affected utility companies have submitted written waivers of objection; and

WHEREAS, the Planning and Zoning Board has recommended approval of this vacation of utility easement at its June 8, 2016 meeting; and

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated as referenced.

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

Section 1: That the City Commission finds and determines that the above described vacation of a utility easement is in the best interest of the residents of the City and serves a public purpose.

Section 2: That the City Commission hereby accepts the recommendation of the Planning and Zoning Board of June 8, 2016, which recommended approval of the vacation of a utility easement for the property legally described in Exhibit "A," attached hereto and made a part hereof, and hereby vacates, releases, and abandons said easement.

Section 3: That in the event any provision or application of this 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Section 4: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.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 take effect immediately upon its passage and adoption.

PASSED FIRST READING THIS 23rd DAY OF June, 2016.

PASSED SECOND READING THIS 14th DAY OF July, 2016.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, MMC
City Clerk

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

WSS:jw

\\pdc\data\Development Services\Common\Documents\PLANNING & ZONING\Project Coordinator\Ordinances\Ord 2016-27 Residence Inn vacation utility.docx