

RESOLUTION NO. 2018-017

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 TRACTS A, B, AND LB1 OF THE FIRST BAPTIST CHURCH AT HILLSBORO PLAT AND BILL OF SALE FROM KLEMOW AT 5100 HILLSBORO, 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 In the Pines, 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 Klemow at 5100 Hillsboro, LLC, a Florida limited liability company, over, across, through, in and under a parcel of land lying in a portion of Tracts A, B, and LB1, as recorded in Plat Book 176, Page 123, 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 and the City Commission hereby accepts the Utility Easement, attached as Exhibit "1," and the Bill of Sale from Klemow at 5100 Hillsboro, LLC, attached as Exhibit "2" of the Utility Easement.

Section 2: 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 3: 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 4: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 11th day of January, 2018.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

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