

**RESOLUTION NO. 2021-049**

**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 PARCEL 'A' OF THE MECCA COMMERCIAL PLAT, RELATING TO PARCEL NUMBER 474136040011, GENERALLY LOCATED AT 5901 LOXAHATCHEE ROAD IN BROWARD COUNTY, FLORIDA, BY THE CITY OF COCONUT CREEK, MORE PARTICULARLY DESCRIBED IN COMPOSITE EXHIBIT "1," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, as part of the development of The Allegro at Parkland project, 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 interest of the health, safety, and welfare of the residents to accept the utility easement, attached as Composite Exhibit "1" (the "Utility Easement"), over, across, through, in, and under a portion of land within The Allegro at Parkland project, Parcel number 474136040011, and described as a parcel of land lying within and being a portion of Parcel 'A' of the MECCA COMMERCIAL Plat, as recorded in Plat Book 149, Page 38, of the Public Records of Broward County, Florida, as legally described in Composite Exhibit "1," (the "Property") attached hereto and made a part hereof, 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.

**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 hereby accepts the Utility Easement, attached as Composite Exhibit "1," within The Allegro at Parkland project generally located at 5901 Loxahatchee Road, Parkland, Parcel number 474136040011, for the purposes of water, wastewater and any other utility needs.

**Section 3:** That the City Commission directs the City Clerk to record the Utility Easement, attached hereto as Composite Exhibit "1," in the Public Records Books of Broward County, Florida.

**Section 4:** 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 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 8<sup>th</sup> day of April, 2021.**

\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

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

Tooley Aye\_\_\_\_  
Rydell Aye\_\_\_\_  
Sarbone Aye\_\_\_\_  
Welch Aye\_\_\_\_  
Railey Aye\_\_\_\_