

RESOLUTION NO. 2018-009

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 PARCEL "A," NORTH BROWARD SCHOOL REPLAT AND BILL OF SALE FROM BMOC-MIA (FL) 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 North Broward Preparatory School Wellness and Athletic Center, a water isolation valve and service line were constructed per City standards and specifications and are now being dedicated to the City; 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 BMOC-MIA (FL), LLC, a Delaware limited liability company, over, across, through, in and under a parcel of land lying in a portion of Parcel "A," North Broward School Replat, as recorded in Plat Book 183, Page 103, 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.

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 BMOC-MIA (FL) LLC, attached as Exhibit "2."

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>