

RESOLUTION NO. 2018-206

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 PORTION OF PARCEL "A," GREEN FARM REPLAT, AND BILL OF SALE FROM MCA PROMENADE OWNER, 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 Cooper's Hawk Winery and Restaurant, 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 Exhibit "1," and the Bill of Sale, attached as Exhibit "2," from MCA Promenade Owner, LLC over, across, through, in and under a portion of land lying within a portion of parcel "A," Green Farm Replat, as recorded in Plat Book 173, Pages 116 through 117, of the Public Records of Broward County, Florida for the purposes of water and wastewater, 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 MCA Promenade Owner 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 hereby directs the City Clerk to record the Utility Easement and Bill of Sale, attached hereto and made a part hereof as Exhibit "1" and Exhibit "2," 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 _____ day of _____, 2018.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

Rydell _____
Welch _____
Tooley _____
Sarbone _____
Belvedere _____