

RESOLUTION NO. 2021-177

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 RELATING TO PARCEL NUMBER 484206280020, GENERALLY LOCATED AT 6301 LYONS ROAD, COCONUT CREEK, FL 33073, BY THE CITY OF COCONUT CREEK, MORE SPECIFICALLY DESCRIBED IN COMPOSITE EXHIBIT "1;" PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as part of the development of the project known as First Sawgrass Commerce Center, water and wastewater infrastructure was constructed pursuant to the City's Code of Ordinances, 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 generally located at 6301 Lyons Road, Coconut Creek, FL 33073, Parcel Number 484206280020, and legally described in Composite Exhibit "1" (the "Property"), for the purposes of water, wastewater and any other corresponding utilities, 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 property generally located at 6301 Lyons Road, Coconut Creek, Florida 33073, Parcel Number 484206280020, for the purposes of water, wastewater, and any other utility needs.

Section 3: That the City Commission hereby directs the City Clerk, or designee, 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 9th day of September, 2021.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

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