

RESOLUTION NO. 2021-059

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 THE SAWGRASS EXCHANGE PLAT, RELATING TO PARCEL NUMBER 484207130020, GENERALLY LOCATED AT 5951 LYONS ROAD IN BROWARD COUNTY, FLORIDA, BY THE CITY OF COCONUT CREEK, MORE PARTICULARLY DESCRIBED IN COMPOSITE EXHIBIT “1;” PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as part of the development of the Texas Roadhouse project, within the El Dorado Plaza, water 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 is 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, though, in, and under a portion of land lying within the Texas Roadhouse project generally located at 5951 Lyons Road, Parcel number 484207130020, and described as a parcel of land lying within Parcel “B” and a portion of Parcel “E,” Sawgrass Exchange Plat, as recorded in Plat Book 165, Page 2, of the Public Records of Broward County, Florida and legally described in Composite Exhibit “1” (the “Property”), for the purposes of water, wastewater and corresponding utilities, located thereon, to install, construct, operate, maintain, repair, replace and reconstruct said utilities, as necessary, and more particularly described therein.

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 Texas Roadhouse project generally located at 5951 Lyons Road, Parcel number 484207130020, for the purposes of water, wastewater and any corresponding 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 8th day of April, 2021.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, City Clerk

Tooley Aye_____

Rydell Aye_____

Sarbone Aye_____

Welch Aye_____

Railey Aye_____