

RESOLUTION NO. 2024-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER TO REQUEST THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO CONVEY SURPLUS PROPERTIES AND EASEMENTS TO THE CITY OF COCONUT CREEK (CITY) TO BE UTILIZED FOR THE PUBLIC PURPOSE OF PROVIDING ADEQUATE DRAINAGE FACILITIES AND ROAD RIGHT-OF-WAY, SUCH PROPERTIES GENERALLY LOCATED WITHIN THE MAINSTREET PROJECT AREA AND BEING IDENTIFIED IN THE LEGAL DESCRIPTIONS AND SKETCHES ATTACHED HERETO AS EXHIBIT “A;” PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the FDOT acquires properties for transportation facilities for the citizens of the State of Florida; and

WHEREAS, the FDOT is permitted by law to convey real property that FDOT no longer needs and determines to be surplus to other public entities to further the public needs of the State of Florida; and

WHEREAS, the City can utilize FDOT’s surplus properties, described in the attached Exhibit “A,” for existing and proposed roadway and drainage improvement projects in connection with the development of infrastructure in the MainStreet Project Area; and

WHEREAS, it is in the best interest of the citizens of the State of Florida to gain the most benefit from properties and easements acquired with public funds; and

WHEREAS, the City is requesting, in connection with the development of the Mainstreet Project Area, that FDOT convey to the City the surplus properties and easements described in the attached Exhibit “A;” and

WHEREAS, the surplus properties are sought for the development of public infrastructure within the Mainstreet Project Area and are proposed to be conveyed to the

City for the public purpose of providing necessary drainage and roadway facilities pursuant to the City's Mainstreet Project Area.

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 requests the Florida Department of Transportation (FDOT) to convey title to the surplus properties and easements described in the attached Exhibit "A" to the City pursuant to Section 337.25(4)(b), Florida Statutes.

Section 3: That the surplus property to be conveyed to the City by FDOT will be used for the public purpose of providing necessary infrastructure, described in the table below, which will be in the best interests of the general public of the City of Coconut Creek.

Identification of Public Purpose		
Parcel	Public Purpose	Property Interest to be Acquired
100	Roadway, drainage, utilities	Deed
101	Roadway, drainage, utilities	Deed
102 (Part)	Roadway, drainage, utilities	Deed
801	Roadway, drainage, utilities	Easement
802	Utilities	Easement
803	Drainage	Easement
804	Roadway, drainage, utilities	Easement
805 (Part)	Drainage	Easement

Section 4: That upon adoption of this resolution, the City shall forward an executed copy of this resolution to the Florida Department of Transportation, 3400 W. Commercial Boulevard, Ft. Lauderdale, Florida 33309-3421, for further handling.

Section 5: 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 6: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 11th day of July, 2024.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Welch Aye____

Railey Aye____

Rydell Aye____

Brodie Aye____

Wasserman Aye____