

RESOLUTION NO. 2023-099

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, VACATING A 10-FOOT WIDE DRAINAGE EASEMENT FOR THE PROJECT KNOWN AS THE PARRISH RESIDENCE, GENERALLY LOCATED AT 631 NW 42 AVENUE, COCONUT CREEK, FLORIDA, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Archibald Wesley Parrish ("Applicant"), on behalf of the property owner Barbara J. Parrish, seeks to vacate a drainage easement, more particularly described in Exhibit "A," attached hereto and made a part of hereof; and

WHEREAS, all affected utility companies have submitted written waivers of no objection; and

WHEREAS, the City's Development Review Committee held a meeting on May 11, 2023, to discuss comments on this application, and subsequently the applicant revised the application to satisfactorily address said comments; and

WHEREAS, the City Commission finds and determines that the existing easement does not serve a public purpose and vacation of the easement is in the best interest of the public welfare based upon all the evidence presented at the public hearing, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: Ratification. 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: Approval. That the City Commission, finding that the above described easement vacation is in the best interest of the public welfare, hereby approves the vacation of easement, as described in Exhibit “A.”

Section 3: Recordation. That the City Commission hereby directs the City Clerk, or designee, to record said vacation of drainage easement, attached hereto as Exhibit “A,” in the Public Records Books of Broward County, Florida.

Section 4: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5: Severability. That should any section or provision of this resolution, or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

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

Adopted this 22nd day of June, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell Aye____
Welch Aye____
Railey Aye____
Brodie Aye____
Wasserman Aye____

JP:ae

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