



## Legislation Text

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File #: ORD 2019-021, Version: 1

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## AGENDA ITEM REPORT

### **TITLE:**

AN ORDINANCE APPROVING AND ACCEPTING A MAINTENANCE MAP FOR LANDSCAPE AREAS, SIDEWALKS, AND FACILITIES IMMEDIATELY ADJACENT TO LYONS ROAD RIGHT-OF-WAY PURSUANT TO FLORIDA STATUTES SECTION 95.361 GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LYONS ROAD AND HAMMOCK BOULEVARD, MORE PARTICULARLY DESCRIBED IN THE MAINTENANCE MAP, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A;" AND AUTHORIZING EXECUTION. (SECOND READING)(PUBLIC HEARING)

### **BACKGROUND:**

**This item was approved on First Reading at the July 11, 2019, City Commission Meeting.**

As part of the Lyons Road Mobility Project, the Florida Department of Transportation's (FDOT) District Surveyor and Mapper has identified a property near Buttonwood Hammock for which there has been no formal conveyance of right-of-way. This Maintenance Map serves to clarify the ownership of lands on which a road has been maintained for seven (7) years pursuant to Section 95.361, Florida Statutes. The area has been identified and is reflected on the attached Maintenance Map.

### **DISCUSSION:**

The Maintenance Map Specific Purpose Survey, prepared by FDOT's consultant (F. R. Aleman & Associates, Inc.) in accordance with Florida Statute 95.361, is a legal instrument that is required by FDOT where all rights, title, easement, and appurtenances in and to the road shall be vested with the local government agency. In compliance with the Statute, the City shall have been continuously maintaining the area for at least seven (7) uninterrupted years. The City's Engineer has confirmed that the subject location identified within the Maintenance Map has continuously and uninterrupted been maintained by the City, as per the State Statute.

If approved by the City Commission, the City's Engineer, Mayor, and City Clerk will execute the Maintenance Map. The Maintenance Map will be recorded into the Official Public Records of Broward County, Florida.

### **RECOMMENDATION:**

Staff recommends approval of this ordinance.

**FISCAL IMPACT:** N/A