



Legislation Text

File #: ORD 2019-022, Version: 1

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 THREE LOCATIONS BETWEEN COCONUT CREEK PARKWAY AND COPANS ROAD, MORE PARTICULARLY DESCRIBED IN THE MAINTENANCE MAP, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A;" 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 properties along Lyons Road between Coconut Creek Parkway and Copans Road for which there has been no formal conveyance of right-of-way. This Maintenance Map serves to clarify ownership of lands on which a road has been maintained for a period of seven (7) years pursuant to Section 95.361, F.S. The three (3) locations have been verified and are reflected on the attached Maintenance Map.

DISCUSSION:

The Maintenance Map Specific Purpose Survey, prepared by the City's consultant (Carnahan Proctor & Cross) 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 three (3) subject locations identified within the Maintenance Maps have been 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 Public Records of Broward County, Florida.

RECOMMENDATION:

Staff recommends approval of this ordinance.

FISCAL IMPACT: N/A