



# Town Council Agenda Report

**SUBJECT:** Ordinance

**TITLE OF AGENDA ITEM:**

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM CYNTHIA MARIE LAWSON, AN UNMARRIED WOMAN, CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

**REPORT IN BRIEF:**

The Town is working together with Howard Zimmerman to develop a right turn/deceleration storage lane on Orange Drive and Hiatus Road. The attached conveyance provides for right-of-way to construct the right turn/deceleration lane and acquisition and construction cost are funded by the developer of Imagination Farms.

**PREVIOUS ACTIONS:**

N/A

**CONCURRENCES:**

N/A

**FISCAL IMPACT:**

Has request been budgeted? N/A

**RECOMMENDATION(S):**

Motion to Approve

**Attachment(s):**

- Ordinance
- Utility Easement
- Site Location Map
- Site Location Aerial

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM CYNTHIA MARIE LAWSON, AN UNMARRIED WOMAN, CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Cynthia Marie Lawson, an unmarried woman, wishes to dedicate land for public right-of-way, and in furtherance thereof has tendered a Warranty Deed to the Town of Davie.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The grant made by Warranty Deed dated September 2, 1999, a copy of which is attached hereto as "Exhibit A", is hereby accepted.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION . This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

Prepared by: Robert Rawls  
Return to: Town of Davie  
Town Clerk's Office  
6591 Orange Drive  
Davie FL 33314

**WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)**

THIS INDENTURE made this 2nd day of September, 1999, between CYNTHIA MARIE LAWSON, an unmarried person, whose post office address is 11101 Orange Drive, Davie, Florida 33328, of the County of Broward, the State of Florida, grantor\*, and the TOWN OF DAVIE, a Municipal Corporation of the State of Florida, whose post office address is 6591 Orange Drive, Davie, Florida, of the County of Broward, the State of Florida, grantee\*.

WITNESSETH that said grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to wit:

See EXHIBIT "A" attached hereto

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomever. The property herein conveyed shall be part of the right-of-way of Orange Drive.

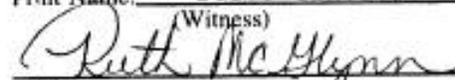
The property herein conveyed shall be part of the right-of-way for the roadway currently known as Orange Drive. In the event at any time the property is not used for such purpose for a period of thirty-six (36) consecutive months, title to the property herein conveyed shall revert to the Grantor, her successors or assigns.

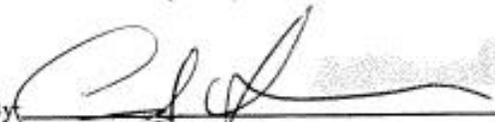
\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written:

Signed, sealed and delivered  
in the presence of:

  
\_\_\_\_\_  
(Witness' Signature)  
Print Name: Steve Ginestra

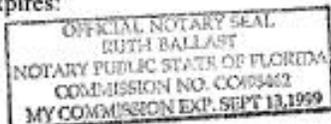
  
\_\_\_\_\_  
(Witness' Signature)  
Print Name: Ruth McGlynn  
(Witness)

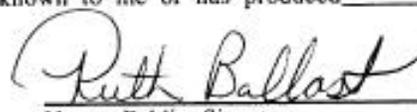
By   
\_\_\_\_\_  
(Grantor's Signature)  
Print Name: Cynthia Marie Lawson  
Print Address: 11101 Orange Drive  
Davie, Florida 33328

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 2nd day of September, 1999, by CYNTHIA MARIE LAWSON, an unmarried person, who is personally known to me or has produced \_\_\_\_\_ as identification and who did (did not) take an oath

My Commission Expires:



  
\_\_\_\_\_  
Notary Public, Signature  
Print Name: Ruth Ballast

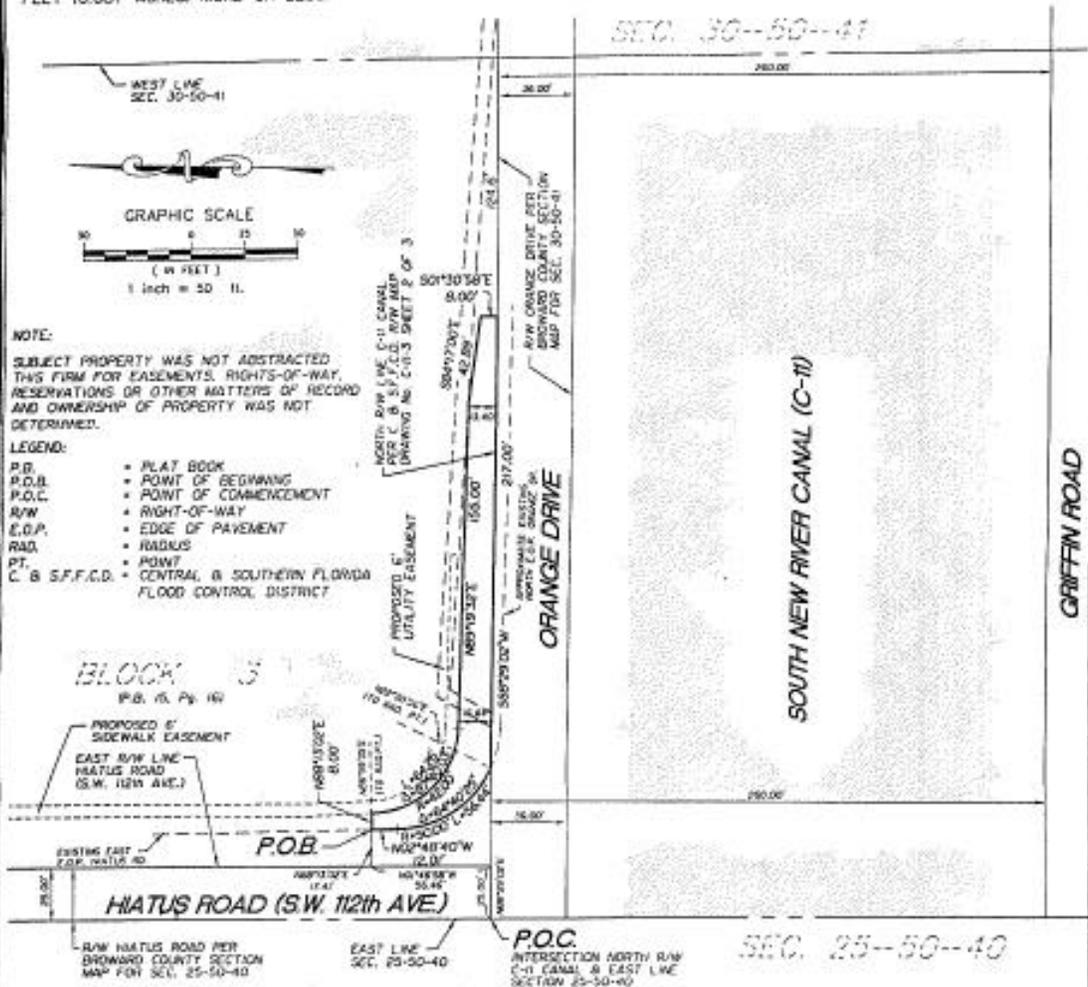
DESCRIPTION :

A PORTION OF THE HIATUS BETWEEN SECTION 25, TOWNSHIP 50 SOUTH, RANGE 40 EAST AND SECTION 30, TOWNSHIP 50 SOUTH, RANGE 41 EAST SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF THE SOUTH NEW RIVER CANAL (C-11) AS SHOWN ON THE CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT RIGHT-OF-WAY MAP DRAWING No. C-11-3, SHEET No. 2 OF 3 AND THE EAST LINE OF SAID SECTION 25; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 88°29'02" EAST (ASSUMED BEARING) 25.00 FEET TO A LINE PARALLEL WITH AND 25.00 FEET EAST OF THE EAST LINE OF SAID SECTION 25; THENCE ALONG SAID PARALLEL LINE NORTH 0°45'58" WEST 56.46 FEET; THENCE NORTH 88°13'02" EAST 17.41 FEET TO THE EXISTING EAST EDGE OF PAVEMENT OF HIATUS ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°13'02" EAST 8.00 FEET TO A POINT ON A 42 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 86°58'35" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 87°40'03" AN ARC DISTANCE OF 64.26 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°19'32" EAST 155.00 FEET; THENCE SOUTH 84°17'00" EAST 42.89 FEET; THENCE SOUTH 0°30'58" EAST 8.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID SOUTH NEW RIVER CANAL (C-11); THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE SOUTH 88°29'02" WEST 217.00 FEET TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 22°30'56" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE BEING THE APPROXIMATE EDGE OF EXISTING ASPHALT PAVEMENT THROUGH A CENTRAL ANGLE OF 64°40'25" AN ARC DISTANCE OF 56.44 FEET TO A POINT OF TANGENCY ON THE EDGE OF SAID PAVEMENT; THENCE NORTH 02°48'40" WEST ALONG THE APPROXIMATE EDGE OF PAVEMENT 12.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 3795 SQUARE FEET (0.087 ACRES) MORE OR LESS.

EXHIBIT "A" to Warranty Deed (for Orange Drive right-of-way)



NOTE:

SUBJECT PROPERTY WAS NOT ABSTRACTED THIS FIRM FOR EASEMENTS, RIGHTS-OF-WAY, RESERVATIONS OR OTHER MATTERS OF RECORD AND OWNERSHIP OF PROPERTY WAS NOT DETERMINED.

LEGEND:

- P.B. PLAT BOOK
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R/W RIGHT-OF-WAY
- E.O.P. EDGE OF PAVEMENT
- RAD. RADIUS
- PT. POINT
- C. B. S.F.F.C.D. CENTRAL & SOUTHERN FLORIDA FLOOD CONTROL DISTRICT

BLOCK 3  
P.B. 15, Pg. 16

PROPOSED 6' SIDEWALK EASEMENT

EAST R/W LINE HIATUS ROAD (S.W. 12th AVE.)

EXISTING EAST R/W HIATUS RD

P.O.B.

HIATUS ROAD (S.W. 12th AVE.)

R/W HIATUS ROAD PER BROWARD COUNTY SECTION MAP FOR SEC. 25-50-40

EAST LINE SEC. 25-50-40

P.O.C.

INTERSECTION NORTH R/W C-11 CANAL & EAST LINE SECTION 25-50-40

SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

6/9/90	REV. CERTIFICATION	GOO
10/28/97	REV. BOUNDARY & DESCRIPTION	GOO JAB
8/8	REVISIONS	DM OH
DRAWN BY:	GOO	CHECKED BY: JAB

CERTIFIED TO:  
CYNTHIA MAIYE LAWSON, AMERICAN BANK OF HOLLYWOOD, IT'S SUCCESSORS AND OR ASSIGNS  
TOWN OF DAVIE



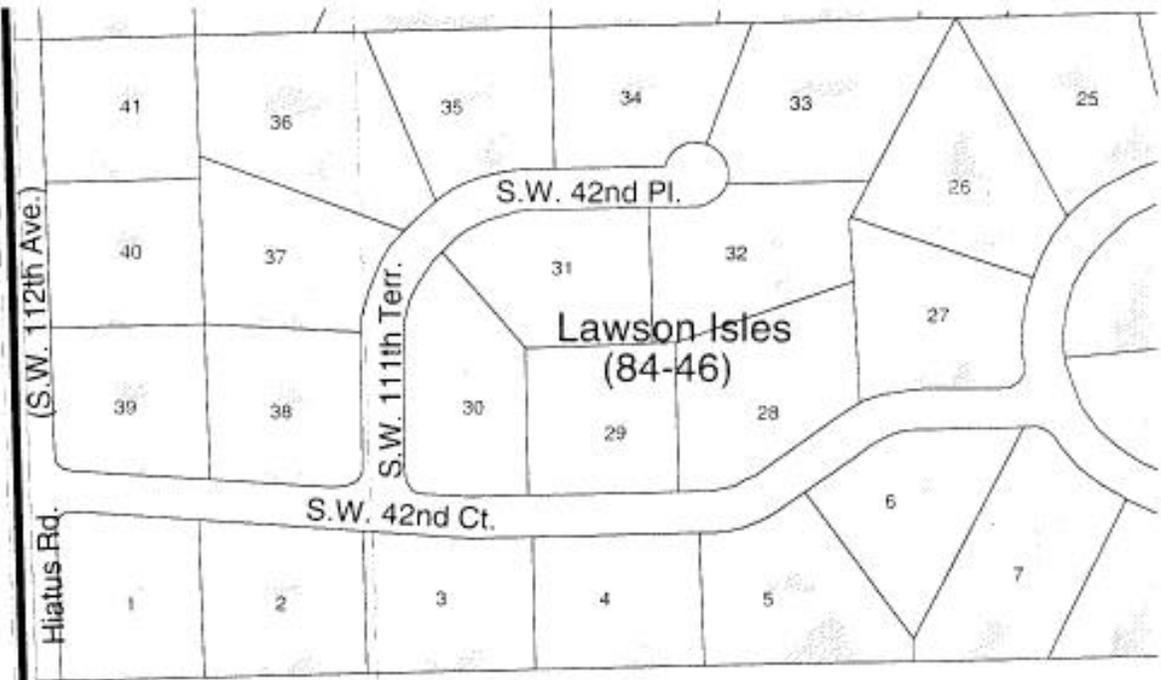
ENGINEERS + PLANNERS  
LAND SURVEYORS  
ENVIRONMENTAL PROFESSIONALS

1100 S. DODD ROAD, SUITE 200  
FORDON PINES, FLORIDA 33114  
(305) 438-1000 FAX (305) 431-2904  
CERT. OF AUTHORIZATION L.S. 1680

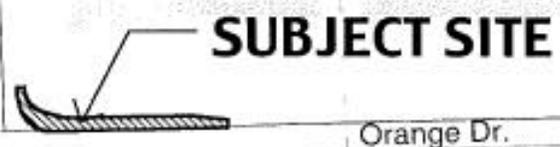
I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 402.17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATED THIS 2ND DAY OF MAY, 1997 A.D.  
WILLIAM M. CYNCH  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA REGISTRATION NO. 4082  
NOT VALID WITHOUT THE SIGNATURE AND TITLE OF AN ENGINEER, SURVEYOR, OR A FLORIDA LICENSED SURVEYOR AND MAPPER

PROJECT NO. 5588-06 FILE NO. 9-1C-482



**A-1**



S. New River Canal

Griffin Rd.

PETITION NUMBER Lawson - Warranty Deed		N 
PREPARED 12/8/99 BY THE PLANNING & ZONING DIVISION		Scale: 1"=200'

