

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP
(954) 797-1101

SUBJECT: Ordinance

VA 4-1-01 FLR Company LLR, 5000 SW 82 Avenue/Generally located on the east side of SW 82 Avenue approximately 2000 feet south of Griffin Road.

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING AN INGRESS AND EGRESS EASEMENT WITHIN A PORTION OF TRACT 14 IN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The applicant is requesting to vacate an ingress and egress easement that is not needed to provide access to adjoining properties, and does not serve any public purpose. The 15' ingress and egress easement is approximately 772 feet in length and was created to give the adjoining parcels access to SW 82 Avenue prior to the construction of University Drive. Staff has no objection to the request.

PREVIOUS ACTIONS:

Town Council approved the request on its merits at its July 3, 2001 meeting (Motion carried 5-0).

CONCURRENCES: The Planning and Zoning Board recommended approval of the request at its June 27, 2001 meeting (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s):

Ordinance, Land use map, Subject site map, Aerial

Prepared By:
Christopher M. Gratz
Town of Davie
6591 Orange Drive
Davie, FL 33314

Return To:
Town Clerk's Office
Town of Davie
6591 Orange Drive
Davie, FL 33314

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING AN INGRESS AND EGRESS EASEMENT WITHIN A PORTION OF TRACT 14 IN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an ingress and egress easement located within Tract 14, in Section 34, Township 50 South, Range 41 East, specifically described on Exhibit "A" attached hereto, was accepted as an ingress and egress easement; and

WHEREAS, it is not needed to provide access to adjoining properties and no longer serves a public purpose; and

WHEREAS, on the date of adoption of this ordinance Town Council did agree to such vacation.

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

SECTION 1. That an ingress and egress easement located within Tract 14, in Section 33, Township 50 South, Range 41 East, specifically described on Exhibit "A" attached hereto, is hereby vacated by the Town of Davie. This vacation is dependent upon the validity and effectiveness of the easement recorded in O.R. Book 3341, Page 659 of the Public Records of Broward County, in which the property owners grant an easement to the Town of Davie, and warranty that they have good and indefeasible fee simple title to the easement premises.

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 of 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 3. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2001.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2001.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

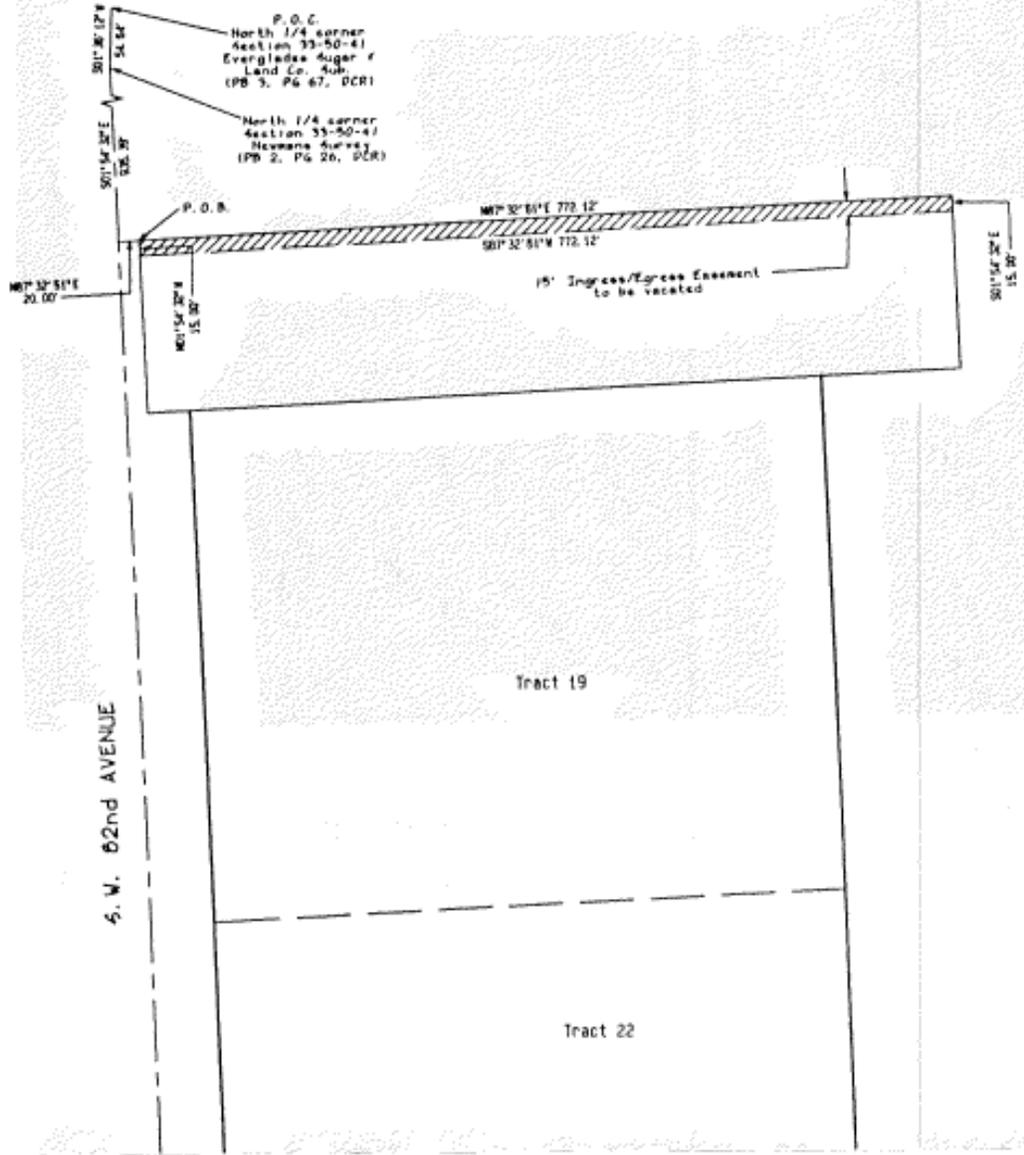
SKETCH & DESCRIPTION OF 15' INGRESS/EGRESS EASEMENT TO BE VACATED

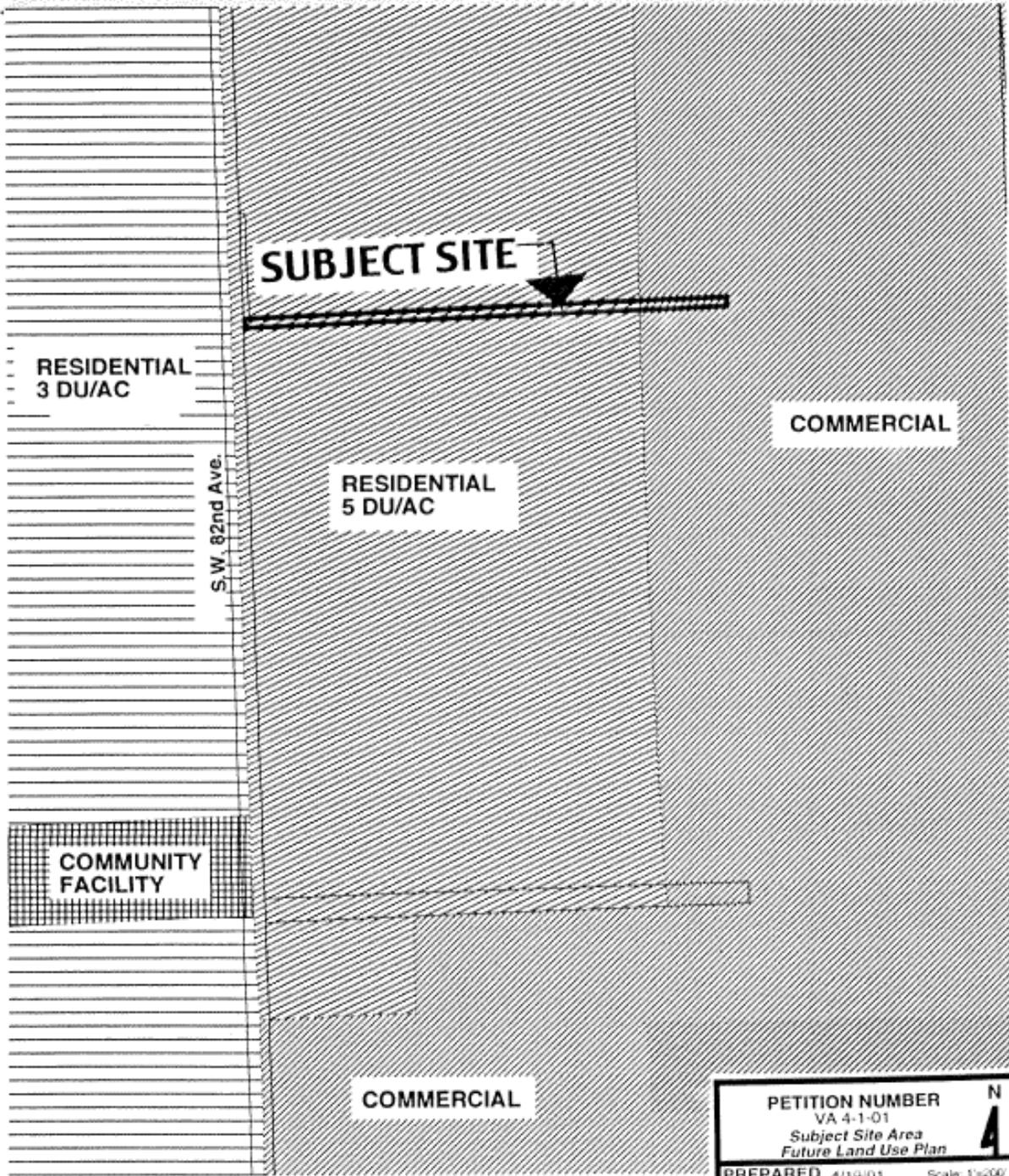


A portion of Tract 14, Section 33, Township 50 South, Range 41 East, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, as recorded in Plat Book 3, Page 67 of the Public Records of Dade County, Florida, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 33, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION; thence South 01°36'12" West, a distance of 54.64 feet to the North 1/4 corner of said Section 33, NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida; thence South 01°54'32" East, a distance of 935.39 feet; thence North 87°32'51" East, a distance of 20.00 feet to the POINT OF BEGINNING; thence continue North 87°32'51" East, a distance of 772.12 feet; thence South 01°54'32" East, a distance of 15.00 feet; thence South 87°32'51" West, a distance of 772.12 feet; thence North 01°54'32" West, a distance of 15.00 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in the Town of Davie, Broward County, Florida, containing 11,582 square feet (0.266 acres), more or less.





SUBJECT SITE

**RESIDENTIAL
3 DU/AC**

S.W. 82nd Ave.

**RESIDENTIAL
5 DU/AC**

COMMERCIAL

**COMMUNITY
FACILITY**

COMMERCIAL

PETITION NUMBER VA 4-1-01 <i>Subject Site Area Future Land Use Plan</i>	N 4
PREPARED 4/19/01	Scale: 1"=200'
BY THE PLANNING & ZONING DIVISION	

S.W. 82nd Ave.

A-1

11

SUBJECT SITE



14

B-2

A-1

RM-5

19

Renaissance Plaza
(123-30)

B-3

Tract "A"

22

R-5

CF

A-1

27

R-5

University Park West (123-30)

B-3

A-1

PETITION NUMBER		N 4
VA 4-1-01		
<i>Subject Site Area Zoning Map</i>		
PREPARED	4/19/01	Scale: 1"=200'
BY THE PLANNING & ZONING DIVISION		

