

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Larry A. Peters, P.E.  
(954) 797-1113

**PREPARED BY:** Larry A. Peters, P.E.

**SUBJECT:** Resolution to accept a drainage easement from Prosper and Kimberly Lugassey at 14404 S. Royal Cove Circle, Davie, Florida 33325.

**AFFECTED DISTRICT:** District 4

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TO ACCEPT A DRAINAGE EASEMENT FROM PROSPER AND KIMBERLY LUGASSY AT 14404 S. ROYAL COVE CIRCLE, DAVIE, FL. 33325 TO INSTALL A DRAINAGE PIPE TO IMPROVE STORMWATER ROUTING IN THE AREA.

**REPORT IN BRIEF:**

In December 2000, a Drainage and Water Control Study was prepared by Craven and Thompson for an Interlocal Consortium comprised of the Central Broward Water Control District, Broward County, the City of Copper City, and the Town of Davie. This study accessed the drainage issues in the Town of Davie and proposed some ways to improve stormwater routing. This drainage easement is one of eight easements being acquired by the Town of Davie in order to install a 42" pipe to improve stormwater routing in the area. This installation is based upon a recommendation in the Drainage and Water Control Study.

**PREVIOUS ACTIONS:**

**CONCURRENCES:**

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):** Approval

**Attachment(s):**

Resolution  
Drainage Easement  
Sketch of Survey

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TO ACCEPT A DRAINAGE EASEMENT FROM PROSPER AND KIMBERLY LUGASSY AT 14404 S. ROYAL COVE CIRCLE, DAVIE, FL. 33325 TO INSTALL A DRAINAGE PIPE TO IMPROVE STORMWATER ROUTING IN THE AREA.

WHEREAS, the area around said property has experienced flooding/drainage problems; and

WHEREAS, the Town of Davie wishes to address and improve the current flooding/drainage conditions; and

WHEREAS, the attached sketch of survey and legal description described as "Exhibit A" shows said drainage easement; and

WHEREAS, the Town of Davie Engineering Division of the Development Services Department recommends acceptance of the drainage easement.

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

SECTION 1. The Town Council of the Town of Davie does hereby agree to accept the drainage easement. The easement is specifically described on the sketch of survey and legal description as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

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

ATTEST:

TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.



**This document prepared by:**  
Town of Davie Engineering Div.  
6591 Orange Drive  
Davie, Florida 33314-3399

**Return to:**  
Town of Davie Administrative Services  
6591 Orange Drive  
Davie, Florida 33314-3399

## **Drainage Easement**

This drainage easement executed this September 23 [date], 2014 by **Prosper Lugassy and Kimberly Lugassy**, (Grantors) whose address is **14404 S Royal Cove Circle, Davie, Florida 33325** in which Grantors swear that Grantors are the legal owners of the referenced property and convey to the Town of Davie, Florida, municipal corporation, located in Broward County, Florida [Grantee] a drainage easement.

Grantors warrant that Grantors are the fee owners of certain real estate situated in the Town of Davie, County of Broward, State of Florida, which is legally described in Exhibit A attached hereto and incorporated herein by reference, referred to hereinafter as the "easement premises"; and

Grantors hereto have determined that it is in Grantors best interests for the grantors to grant the Town of Davie an easement in and along the easement premises for drainage purposes:

Therefore, in consideration of the foregoing:

1. The grantors hereby grant and convey to the Town of Davie a perpetual drainage easement (which can be over, under and across the easement premises), including the right to ingress and egress to the easement, for construction, reconstruction, alteration, maintenance and repair (to the extent the Town of Davie considers desirable) of pipes, manholes, catch basins, and other necessary or desirable appurtenances to and/or for a drainage system and/or drainage facilities, the easement premises being described as follows which are located in Broward County, Florida:

### **Exhibit A – easement premises legal description**

2. All rights, title and privileges to the easement herein granted shall run with the land and shall be binding upon Grantors and all persons claiming by, through or under Grantors and inure to the benefit of the Town of Davie, Florida, its successors and assigns. Grantor will defend the title to said easement against all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals to this Drainage Easement this 23rd day of September, 2024.

**WITNESSES:**

[Signature]  
Print Name: John Phillips

[Signature]  
Print Name: MARJORIE A. MOFFAT

**GRANTORS:**

[Signature]  
Grantor: **Prosper Lugassy**

[Signature]  
Grantor: **Kimberly Lugassy**

STATE OF FLORIDA :  
SS: :  
COUNTY OF BROWARD :

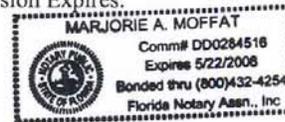
The foregoing instrument was acknowledged before me this 23rd day of Sept, 2024, by **Prosper Lugassy** and **Kimberly Lugassy** who are personally known to me or have produced as identification and who did/did not take an oath.

D.L. 220-661-690240  
PROSPER LUGASSY  
D. # 1220-51862-711  
KIMBERLY LUGASSY

[Signature]  
Notary Public

MARJORIE A. MOFFAT  
Printed Name of Notary

My Commission Expires:



**WITNESSES:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

**GRANTEE:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_



# STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS  
L.B. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

RECORDING AREA

## SKETCH AND DESCRIPTION OF: A 15-FOOT WIDE DRAINAGE EASEMENT

A PORTION OF WEST PARK BOULEVARD (VACATED)  
WEST PARK-WEST PARCEL  
PLAT BOOK 142, PAGE 16, B.C.R.  
TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

**LEGAL DESCRIPTION:** A Portion of Lot 4 Poinciana Parc a.r.b. 30941, pg. 0746, b.c.r.

A 15-foot wide drainage easement being a portion of West Park Boulevard Right of Way as shown on West Park-West Parcel, according to the plat thereof as recorded in Plat Book 142, Page 16 and vacated per Official Records Book 29380, Page 1216 all of the public records of Broward County, Florida. The centerline of said easement being more particularly described as follows:

Commence at the Southwest corner of Tract "A" of said West Park-West Parcel;

Thence S.00°19'08"E., along the Southerly extension of the West line of Tract "A", a distance of 32.51 feet;

Thence N.89°35'57"E., a distance of 146.44 feet to a point on the West line of Lot 4, Poinciana Parc O.R.B. 30941, Pg. 0746, B.C.R.,

Thence N.05°39'08"E., along the West Line, of said lot 4, a distance of 28.09 feet the Point of Beginning;

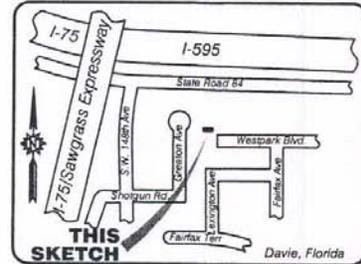
Thence continue N.05°39'08"E., a distance of 19.68 feet;

Thence S.50°57'16"E., a distance of 63.03 feet;

Thence S.89°35'57"W., a distance of 24.72 feet;

Thence N.50°57'16"W., a distance of 33.09 feet to the Point of Beginning.

Said lands situate within the Town of Davie, Broward County, Florida

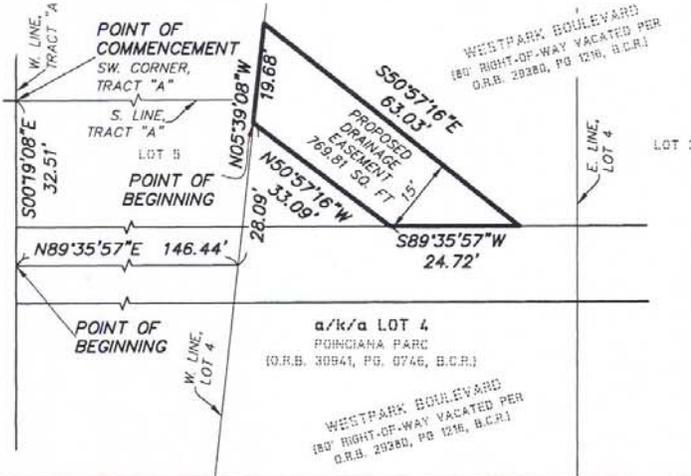


### Location Map

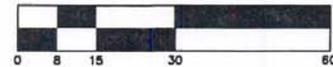
NOT TO SCALE  
SECTION 10, TOWNSHIP 50, RANGE 40 EAST

### NOTES:

1. The property shown hereon was not abstracted for ownership, rights-of-way, easements or other matters of record.
2. This sketch is "not valid" without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
3. The bearings shown hereon are referenced to S.00°19'08"E. along the West line of Tract "A" West Park-West Parcel, according to the plat thereof as recorded in Plat Book 131, Page 27 of the Public Records of Broward County, Florida.
4. This Sketch does not represent a Field Survey. (This is not a survey).
5. This Sketch of Description was prepared by this firm without the benefit of a title search. the legal description shown hereon was authored by Stoner & Associates, Inc.



SCALE: 1" = 30'



GRAPHIC SCALE

### LEGEND

P.B.	PLAT BOOK
PG.	PAGE
B.C.R.	BROWARD COUNTY RECORDS
L.B.	LICENSED BUSINESS
O.R.B.	OFFICIAL RECORDS BOOK
a/k/a	ALSO KNOWN AS

### CERTIFICATE:

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61C17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

REVISIONS	DATE	BY

**Richard G. Crawford, Jr.**

PROFESSIONAL SURVEYOR AND MAPPER NO. 8571 - STATE OF FLORIDA

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
4/16/03	THK	JDS	N/A

### SEAL

NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

DATE: Sep 21, 2004 - 10:17am EST FILE: F:\draw\Town of davie\01-8207\easements\drainage easements.dwg

SHEET 1 OF 1

SKETCH NO. 01-6207-4