

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director
Prepared by: Larry A. Peters, P.E., Town Engineer (954) 797-1113

SUBJECT: Ordinance

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN EASEMENTS FROM EARLINE M. LACROIX, PROPERTY OWNER; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town Engineering Staff has determined that it is necessary for the benefit of the residents of the Town that certain drainage improvements be constructed. In order to accomplish this goal, the Town Staff has obtained from property owner, Earline M. LaCroix, the necessary drainage easement needed by the Town for the improvements. Copies of the drainage easements are attached to the accompanying Resolution and Town Council approval is necessary for the Town to accept from Mrs. LaCroix the needed drainage easement and to authorize the recordation of same in the Public Records of Broward County, Florida

PREVIOUS ACTIONS: None

CONCURRENCES: Reviewed by Town Attorney on August 18, 2004.

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S):

The Town Engineering Division recommends that the Town Council approve the attached Resolution and authorize acceptance of the drainage easement and authorize recording of same in the Public Records of Broward County, Florida

Attachment(s): Resolution, drainage easement and sketch of survey

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING CERTAIN DRAINAGE EASEMENT FROM PROPERTY OWNER EARLINE M. LACROIX; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie recognizes the need to construct and maintain certain drainage improvements located within the Town limits and

WHEREAS, it has been determined that such improvements will be a benefit to the Town and its residents; and

WHEREAS, the Town is in need of obtaining certain drainage easement from property owner, Earline M. LaCroix, in order to accomplish these needed improvements; and

WHEREAS, the Town has received from property owner, Earline M. LaCroix, the necessary drainage easement, copies of which are attached hereto, which will enable the construction of the needed drainage improvements.

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

SECTION 1. The Town Council of the Town of Davie, Florida does hereby authorize the Town to accept from the property owner the attached drainage easement and to record same in the Public Records of Broward County, Florida.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005

MA YOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

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 2/4 [date], 2004 by **Earline M. LaCroix**, (Grantors) whose address is **15100 SW 26 Street, Davie, Florida 33326** 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

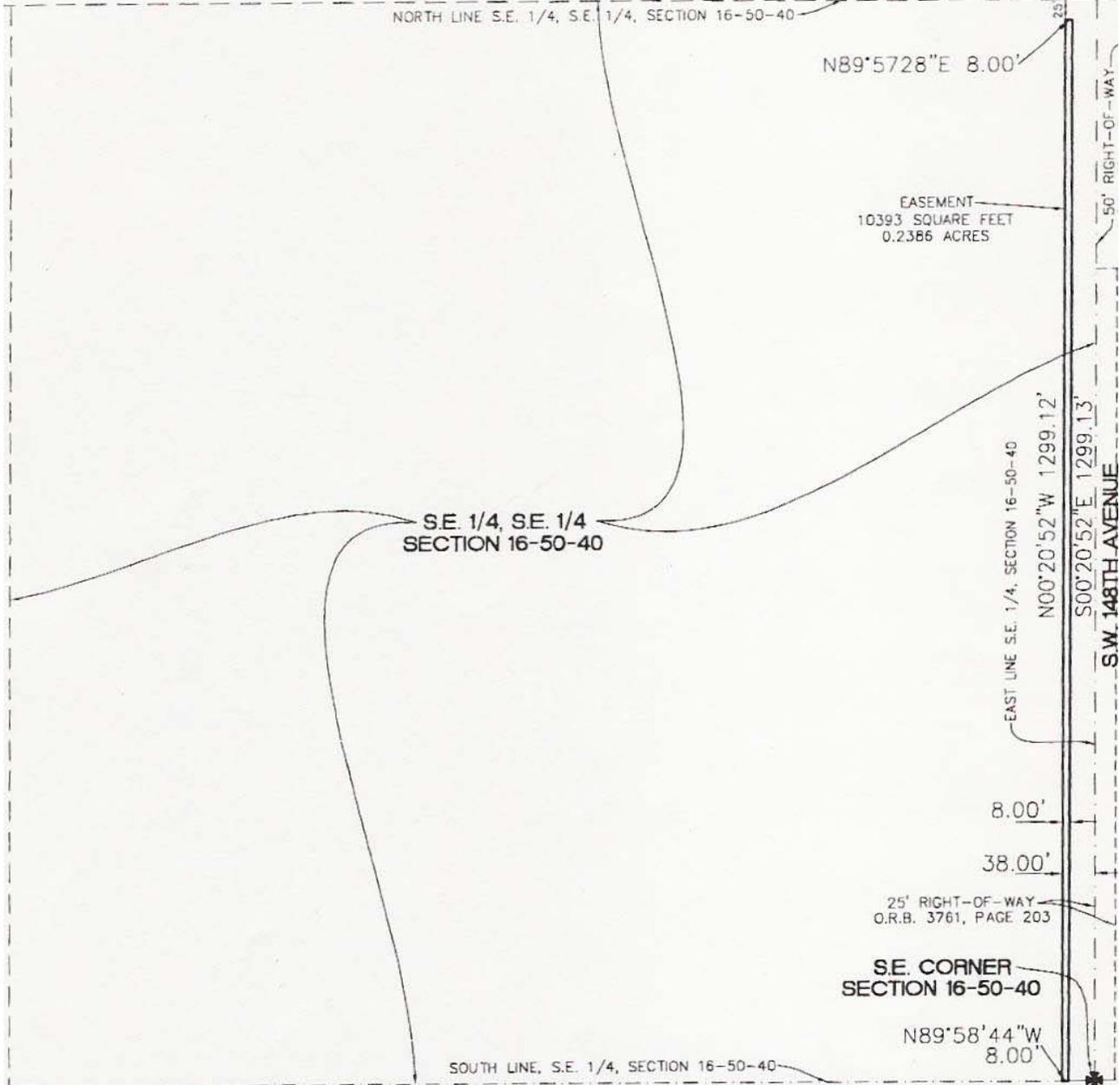
2. All rights, title and privileges to the easement herein granted shall run with the land and shall be binding upon Grantors and all persons claiming by, through or under Grantors and inure to the benefit of the Town of Davie, Florida, its successors and assigns. Grantor will defend the title to said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



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION #LB3870



FILE: SUMMA ENTERTAINMENT INC.
SCALE: 1"=200'
ORDER NO.: 45859A
DATE: 06/29/04
SOUTHWEST 148TH AVENUE
DAVIE, BROWARD COUNTY, FLORIDA
FOR: LIVING WATERS

SHEET ONE OF TWO SHEETS

[Signature]
John F. Pulice, Reg. Land Surveyor #2691
Beth Burns, Reg. Land Surveyor #6136
State of Florida



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LEGAL DESCRIPTION: EASEMENT

THE WEST 8.00 FEET OF THE EAST 38.00 FEET OF THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 40 EAST, BROWARD COUNTY, FLORIDA, LESS THEREFROM THE NORTH 25.00 FEET THEREOF. CONTAINING 10,393 SQUARE FEET, 0.2386 ACRES.

NOTES:

- 1) BEARINGS ARE BASED ON THE EAST LINE OF THE S.E. 1/4 OF SECTION 16 BEING N02°20'52"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) O.R.B. DENOTES: OFFICIAL RECORDS BOOK.

FILE: SUMMA ENTERTAINMENT INC.

SCALE: 1"=200'

ORDER NO.: 45859A

DATE: 06/29/04

SOUTHWEST 148TH AVENUE

DAVIE, BROWARD COUNTY, FLORIDA

FOR: LIVING WATERS

SHEET TWO OF TWO SHEETS

John F. Pulice, Reg. Land Surveyor #2691
Beth Burns, Reg. Land Surveyor #6136
State of Florida