

# **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:** Resolution

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN EASEMENTS FROM MIGUEL AND SUI LING DOMINGUEZ, PROPERTY OWNERS; 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 utility improvements be maintained. In order to accomplish this goal, the Town Staff has obtained from property owner, Miguel and Sui Ling Dominguez, the necessary utility easement needed by the Town. Copy of the utility easement is attached to the accompanying Resolution and Town Council approval is necessary for the Town to accept from Miguel and Sui Ling Dominguez the needed utility easement and to authorize the recordation of same in the Public Records of Broward County, Florida

**PREVIOUS ACTIONS:** None

**CONCURRENCES:**

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION(S):**

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

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

RESOLUTION R-2005

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN EASEMENTS FROM MIGUEL AND SUI LING DOMINGUEZ, PROPERTY OWNERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie recognizes the need to obtain certain utility easement located within the Town Limits' and

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

WHEREAS, the Town is in need of obtaining certain utility easement from property owner, Miguel and Sui Ling Dominguez., in order to reserve land for possible utility improvements; and

WHEREAS, the Town has received from property owner, Miguel and Sui Ling Dominguez, the necessary utility easement, copy of which is attached hereto, which will enable future utility improvement and maintenance.

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, Florida does hereby authorize the Town to accept from the property owner the attached utility easements 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 \_\_\_\_\_, 2006.

\_\_\_\_\_  
MA YOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006

**TOWN OF DAVIE  
DEVELOPMENT SERVICES DEPARTMENT ENGINEERING DIVISION  
UTILITY EASEMENT AGREEMENT**

**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

**Utility Easement**

This utility easement executed this January 17 [date], 2006 -  
Miguel and Siu-Ling Dominguez (Grantors) whose address is  
41501 SW 17 Street, Davie, FL 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] an utility 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 utility purposes:

Therefore, in consideration of the foregoing:

1. The grantors hereby grant and convey to the Town of Davie a perpetual utility 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 and other necessary or desirable appurtenances to and/or for a utility system and/or utility 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.

Utility Easement Agreement

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals to this Utility Easement this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**WITNESSES:**

Mickele Lopez  
Print Name: Mickele Lopez

Le Tien Nguyen  
Print Name: LE TIEN NGUYEN

**GRANTORS:**

Miguel Dominguez  
Grantor: Miguel Dominguez

Sui Ling Dominguez  
Grantor: Sui Ling Dominguez

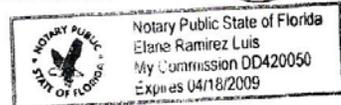
STATE OF FLORIDA :

SS:

COUNTY OF BROWARD :

The foregoing instrument was acknowledged before me this 17 day of January, 2006  
by Sui Ling and Miguel Dominguez who are personally known to me or have produced  
L.D.L. → Local 786-71-833-0  
L.D.L. → D-552-541-14-221 as identification and who did/did not take an oath.

Clara Ramirez  
Notary Public



Printed Name of Notary

My Commission Expires:

**WITNESSES:**

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

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

**GRANTEE:**

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

*Atlantic Coast*

SURVEYING, INC.

LB NO. 5495

5623 SW 57th PLACE DAVIE (954)587-4949  
DAVIE, FLORIDA 33314 BOCA (407)488-9628  
FAX (954)587-0327

PROPOSED 12' UTILITY EASEMENT

THE WEST 12.00 FEET AND THE NORTH 12.00 FEET OF THE SOUTH  
37.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT 36, UNRECORDED PLAT OF HAPPY VALLEY FARMS  
MORE PARTICULARLY DESCRIBED AS:

THE WEST 264.00 FEET OF THE NORTH 1/2 OF TRACT 5 LESS THE  
WEST 25.00 FEET FOR ROAD PURPOSES OF THE FLORIDA FRUIT LANDS  
COMPANY'S SUBDIVISION NO. 1 OF SECTION 13, TOWNSHIP 50 SOUTH,  
RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN  
PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY,  
FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY,  
FLORIDA.

CERTIFIED TO:  
SUSIE DOMINGUEZ

SKETCH AND LEGAL DESCRIPTION

NOTES

1. ASSUMED BEARING BASE: THE SOUTH LINE OF N.1/2\_OF\_TRACT\_5\_ BEARS  
S.89°59'46"W. AND ALL OTHER BEARINGS DEPICTED HEREON ARE RELATIVE THERETO.
2. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR EASEMENTS, RIGHT-OF-WAYS,  
OWNERSHIP OR OTHER INSTRUMENTS OF RECORD.
2. THE LEGAL DESCRIPTION AND THE ACCOMPANYING SKETCH DOES NOT CONSTITUTE A LAND SURVEY

ATLANTIC COAST SURVEYING, INC.

INVOICE # 15966SL  
SHEET 1 OF 2

BY  \_\_\_\_\_  
CLYDE MCNEAL, PROFESSIONAL LAND SURVEYOR

DATE 03/03/05 PJS  
FLORIDA CERTIFICATION NO. 2883

LEGEND

P.O.B. POINT OF BEGINNING  
P.O.C. POINT OF COMMENCEMENT

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR  
AND MAPPER.



## LEGEND OF SURVEY ABBREVIATIONS

A	ARC LENGTH	M	MEASURED
AC	AIR CONDITIONER	MAINT	MAINTENANCE
ADD	ADDITION	MH	MANHOLE
ADJ	ADJACENT OR ADJOINING	NO.	NUMBER
AE	ANCHOR EASEMENT	NR	NON-RADIAL
ALUM.	ALUMINUM	N.T.S.	NOT TO SCALE
ASPH.	ASPHALT	OHE	OVERHANG EASEMENT
BC	BUILDING CORNER	OH	OVERHANG
BCR	BROWARD COUNTY RECORDS	OP	OPEN PORCH
BLDG	BUILDING	ORB	OFFICIAL RECORDS BOOK
BLK.	BLOCK	OS	OFFSET
BM	BENCHMARK	OW	OVERHEAD WIRES
BNDY.	BOUNDARY	P	PLAT
BRG	BEARING	PAR	PARCEL
BSL	BUILDING SET-BACK LINE	PB	PLAT BOOK
BW	BACK OF WALK	PBCR	PALM BEACH COUNTY RECORDS
C	CALCULATED	PC	POINT OF CURVATURE
C&G	CURB & GUTTER	PCC	POINT OF COMPOUND CURVATURE
CB	CATCH BASIN	PCP	PERMANENT CONTROL POINT
CBS	CONCRETE BLOCK STUCCO	PG	PAGE
CD	CHORD DIRECTION	PI	POINT OF INTERSECTION
CHAT.	CHATTAHOOCHEE	PK	PARKER KALON
CJB	CABLE JUNCTION BOX	POB	POINT OF BEGINNING
CLF	CHAIN LINK FENCE	POC	POINT OF COMMENCEMENT
CM	CONCRETE MONUMENT	PP	POWER POLE
CME	CANAL MAINTENANCE EASEMENT	PRM	PERMANENT REFERENCE MONUMENT
CMP	CORRUGATED METAL PIPE	PRC	POINT OF REVERSE CURVE
CNF	CORNER NOT FOUND	PT	POINT OF TANGENCY
CONC.	CONCRETE	PVMT	PAVEMENT
COR.	CORNER	PW	POWER WALL
COV.	COVERED	R	RADIUS OR RECORD
D	DEED	RAD	RADIAL
DB	DEED BOOK	REC	RECORD
DCR	DADE COUNTY RECORDS	RCP	REINFORCED CONCRETE PIPE
DE.	DRAINAGE EASEMENT	RES	RESIDENCE
DOT	DEPARTMENT OF TRANSPORTATION	RET	RETENTION / RETAINING
E/F	END OF FENCE	RNG	RANGE
EP	EDGE OF PAVEMENT	RW	RIGHT - OF - WAY
EW	EDGE OF WATER	SAN	SANITARY
ELEC.	ELECTRIC	SBT	SOUTHERN BELL TELEPHONE
ELEV.	ELEVATION	SCN	SCREEN
ENCL.	ENCLOSURE	SE	SOUTHEAST
EM	ELECTRIC METER	SEC	SECTION
ESMT	EASEMENT	SEW	SEWER
F/C	FENCE CORNER	SN&D	SET NAIL & DISC LB #5495
F/L	FENCE LINE	SP	SCREEN PORCH
FF	FINISHED FLOOR	SP&C	SET 1/2" PIN & CAP LB #5495
FH	FIRE HYDRANT	SR	STATE ROAD
FIP	FOUND IRON PIPE	SRC	SET REFERENCE CORNER
FIR	FOUND IRON ROD	SSMH	SANITARY SEWER MANHOLE
FN	FOUND NAIL	STA	STATION
FND	FOUND	STM	STORM
FN&D	FOUND NAIL & DISC	STY	STORY
FN&T	FOUND NAIL & TAB	SUBD	SUBDIVISION
FP&L	FLORIDA POWER & LIGHT	T	TANGENT
GAR	GARAGE	TB	TOP OF BANK
GW	GUY WIRE	TBM	TEMPORARY BENCH MARK
HW	HEAD WALL	TRANS	TRANSFORMER
ID	IDENTIFY, IDENTITY	TWP	TOWNSHIP
INV	INVERT	TYP	TYPICAL
L	LENGTH	UE	UTILITY EASEMENT
LB	LICENSED BUSINESS	UGD	UNDERGROUND
LC	CHORD DISTANCE	WC	WALL CORNER
LD	LEGAL DESCRIPTION	WD	WOOD
LFF	LOWEST FINISHED FLOOR	WM	WATER METER
LME	LAKE MAINTENANCE EASEMENT	WV	WATER VALVE
LP	LIGHT POLE		
LS	LAND SURVEYOR		

\* \* \* \* \*

THIS PAGE  
INTENTIONALLY  
LEFT BLANK

\* \* \* \* \*