

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers
FROM/PHONE: Chief John George/ (954) 693-8320
PREPARED BY: Nina B. Valdez, Administrative Secretary
SUBJECT: Resolution
AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE HIDDEN COVE OF DAVIE CONDOMINIUM ASSOCIATION, INC. AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

REPORT IN BRIEF: Hidden Cove of Davie Condominium Association, Inc. would like to enter into an agreement with the Town of Davie Police Department, wherein the owner/association, specifically grants the Town power and authority to enforce traffic control on the property of the owner/association, which is required by law to enable enforcement of traffic laws on private roadways and streets within this community.

PREVIOUS ACTIONS:

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S):

Attachment(s):

Resolution

Exhibit A: Trespass and Traffic Control Agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN HIDDEN COVE OF DAVIE CONDOMINIUM ASSOCIATION, INC. AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

WHEREAS, Hidden Cove of Davie Condominium Association, Inc., and the Davie Police Department would like to enter into an "Agreement for Traffic Control and

WHEREAS, Hidden Cove of Davie Condominium Association, Inc., has the authority to sign said agreements, and have done so; and

WHEREAS, the Davie Police Department requests the Town Council to authorize the Mayor to execute said Agreement.

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 hereby authorizes the Mayor to execute the "Agreements for Traffic Control," attached hereto as Exhibit A.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007



DAVIE POLICE DEPARTMENT
 1230 South Nob Hill Road
 Davie, FL 33324
 (954) 693-8200
 FAX: (954) 693-8399 (Road Patrol)



AGREEMENT FOR TRAFFIC CONTROL

The Town of Davie, Florida, a municipal corporation of the State of Florida, (hereinafter referred to as the "Town"), and Hidden Cove of Davie Condo. (hereinafter referred to as the "Owner"), agree on this 29 day of August, 2007, to enter into the following Traffic Jurisdiction Agreement.

WHEREAS, the Owner currently holds legal title to that parcel of real property which is the subject of this Agreement, as more particularly described on Exhibit "A" attached hereto (the "Property" or "Common Areas"); and

WHEREAS, the Town, its duly appointed officers, employees and agents, recognizes that it has full power and jurisdiction to enforce all laws of the nation, state, county and city, duly enacted, excluding those traffic control and enforcement of same on the private property of Owner; and

WHEREAS, the Owner wishes to specifically grant the Town the power and authority to enforce traffic control on the Property and to grant an easement for ingress and egress for said purpose; and

WHEREAS, pursuant to Florida Statutes §316.006(2)(b), Owner wishes to have the Town exercise jurisdiction for traffic regulation over a private or limited access road or roads (the "Roads"), owned or maintained by Owner upon the property.

WITNESSETH

NOW, THEREFORE, for and in consideration of the mutual covenants and undertakings of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The Owner agrees that the Town shall have jurisdiction to enforce state, county and city traffic regulations over any Roads within the private property.
3. The Town hereby agrees to exercise jurisdiction for traffic control purposes over any Roads within the private property.
4. Either party may terminate this Agreement upon sixty (60) days written notice to the other party.
5. The Owner, in further consideration for the above stated commitments of the Town, does hereby declare, establish, provide, give and grant to the Town, its successors, administrators and assigns, a non-exclusive easement for ingress and egress over the private property for the purpose of providing traffic control.

6. The Owner agrees to indemnify and hold the Town of Davie, its officers and elected officials, its employees, assigns and agents, the Town of Davie Police Department, its employees, agents and assigns, and the Police Chief, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or damage to property caused by or arising from any lawful action(s) effectuated by members of the Town of Davie authorized by this Agreement. Nothing in this Agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statute §768.28.
7. The Owner agrees to reimburse the Town of Davie for any actual costs of traffic control and enforcement necessitated by this Agreement over and above the normal costs of traffic control and enforcement typically incurred by the Town of Davie in exercising such control over all streets and highways located within its boundaries, such as additional costs related to signage conforming with state law.
8. Any notices required under this Agreement shall be deemed to have been duly given on the date said notice was mailed by United States Certified Mail, Return Receipt Requested, postage prepaid, and addressed to the Town or the Owner, as the case may be, at the address set below for each such party, or to such other address as any party may, from time to time, specify by written notice to all other parties.
9. No change or modification of this Agreement shall be valid unless in writing and signed by all parties hereto.
10. The Owner expressly understands and agrees that nothing contained herein is intended or should be construed as creating or establishing a duty or obligation of the Town to provide traffic jurisdiction to the private property. The Town's presence on, or use of the premises, does not in any way create or establish in favor of Owner a level of prevention or the enforcement of traffic laws greater than the Town owes to the general public.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals for the purposes herein expressed on the day and year first above written.

WITNESSES:

THE TOWN OF DAVIE, FLORIDA

Signature BY: _____ Signature
TITLE: _____

Print Name ADDRESS: _____

Signature _____

Print Name ATTESTED BY _____

TOWN ATTORNEY
Approved as to form and legality for the use and reliance of the Town of Davie, Florida, only

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this ____ day of _____, 200__, by _____, of the Town of Davie, Florida, a municipal corporation of the State of Florida, who is ____ personally known to me, or who has produced _____ as identification, and who did/did not take an oath.

NOTARY PUBLIC, State of Florida

Type, Stamp, Print Name

MY COMMISSION EXPIRES:

WITNESSES:

[Signature]
Signature

Lizbeth Morales
Print

[Signature]
Signature

Rose Ann Everswick
Print

OWNER:

BY: [Signature]
Signature

Kristin Utech
Print

ADDRESS: 6627 Hidden Cove Dr

Davie, FL 33311

954-260-8581
Phone Number

THE FOREGOING INSTRUMENT MUST BE NOTARIZED OR ATTESTED TO BY A CERTIFIED POLICE OFFICER (F.S. 117.10)

The foregoing instrument was sworn and Subscribed before me:

STATE OF FLORIDA
COUNTY OF BROWARD
(AFFIX SEAL)

Signature of Attesting Officer, I.D. #

Print Name

Date: _____

The foregoing instrument was acknowledged before me this 30 day of August, 2009 by Kristin Utech, who is personally known to me, or _____ who has produced _____ as identification.

Notary Public Katherine Bustamante





DAVIE POLICE DEPARTMENT
 1230 South Nob Hill Road
 Davie, FL 33324
 (954) 693-8200
 FAX: (954) 693-8399 (Road Patrol)



AUTHORITY TO ENTER PREMISES AGREEMENT

Hidden Cove of Davie, a Corporation/ Owner,
 (Name of Corporation/Name of Owner)

located at c/o DNS Property management ^{4350 SW 59 Ave Bldg A} hereby Davie, FL
 (Corporate/Owner Mailing Address & Phone Number) ³³³¹⁴

authorizes the Town of Davie Police to enter the below described property, located in the Town of Davie, Broward County, Florida, without limitations or restrictions and at their discretion to enforce municipal traffic laws, criminal state statutes and municipal ordinances and perform any and all police-related activity.

1. Please Give Physical Address Below and Attach a copy of the Legal Description of the Property (See example of Legal Description – “Exhibit A” attached).
2. Please Give a Copy of the Corporation Documents showing Active Status. (See example —”Exhibit B” attached).

DBA: Hidden Cove Dr. ^{6501 Hidden Cove Dr. Davie, FL 33314}, Davie, FL
 (Address of Property)

Hidden Cove of Davie Condo., expressly understands
 (Name of Corporation/Owner)

and agrees that since the above-described property is privately owned, the Town of Davie Police Department may choose not to conduct routine patrol upon said property nor accepts the obligation to conduct routine police-related activities on said property.

The Town of Davie Police may arrest, at its discretion, those person(s) believed to be trespassing or committing other criminal violations on said property.

Upon an arrest for a criminal violation, Hidden Cove Condo agrees to
(Name of Corporation/Owner)

assist in the criminal prosecution of said offender.

Hidden Cove Condo hereby agrees to communicate the terms
(Name of Corporation/Owner)

and conditions of this agreement to any and all parties present on the above described property by reason of lease, rental, assignment, contract, invitation, employments, etc.

Hidden Cove Condo further agrees to notify the Town of Davie
(Name of Corporation/Owner)

through the Chief of Police for the Town of Davie Police Department ninety (90) days prior to the sale, transfer or assignment of the property or any portion thereof. This notification must be accomplished through the United States Mail, certified, return receipt requested.

Hidden Cove Condo agrees to indemnify and hold the Town of
(Name of Corporation/Owner)

Davie, its employees, assigns and agents, the Town of Davie Police Department, its officers, employees, agents and assigns, and Police Chief John A. George, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or loss to property caused by or arising from an arrest(s) or other lawful action(s) effectuated by members of the Town of Davie Police Department.

Nothing in this agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statutes 768.28.

Hidden Cove Condo expressly understands and agrees that
(Name of Corporation/Owner)

nothing contained herein is intended or should be construed in any way as creating or establishing the duty or obligation of the Town of Davie to provide security or protection to the above-described property. Hidden Cove Condo

(Name of Corporation/Owner)

further understands and agrees that nothing contained herein is intended or should be

construed in any way to obligate the Town of Davie Police Department to perform routine patrol or other police-related functions on or about the above-described property.

The Town of Davie's presence on, or use of the premises, does not in any way create or establish in favor of Hidden Cove Condo a level of
(Name of Corporation/Owner)

prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the State greater than the Town of Davie owes to the general public.

Either party to this agreement may terminate this agreement at will providing that sixty (60) days written notice establishing such intent is served upon the other party by certified mail, return receipt requested.

WITNESSES:

OWNER:

Liseth Morales
Signature

BY: Kristin Utecht
Signature

Liseth Morales
Print

Kristin Utecht
Print

[Signature]
Signature

ADDRESS: 6627 Hidden Cove Dr.

Rose Ann Everswidge
Print

Davie FL 33314
954-260-8581
Phone Number

THE FOREGOING INSTRUMENT MUST BE NOTARIZED OR ATTESTED TO BY A CERTIFIED POLICE OFFICER (F.S. 117.10)

The foregoing instrument was sworn and Subscribed before me:

STATE OF FLORIDA
COUNTY OF BROWARD
(AFFIX SEAL)

Signature of Attesting Officer, I.D. #

The foregoing instrument was acknowledged before me this 30 day of Aug, 2009, by Kristin Utecht, who is personally known to me, or _____ who has produced _____ as identification.

Print Name

Date: _____

Notary Public: Katherine Bustamante

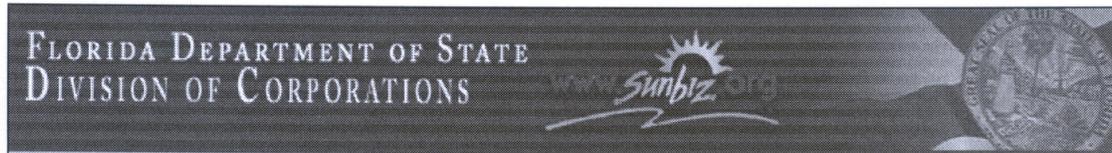


Does this property conduct business under any other names? If yes, please list below the DBAs:

Print Names and List Phone Numbers of EMERGENCY CONTACTS:

Denis Sobieski - 954-584-5258

Kristin Utcit - 954-260-8581



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Detail by Entity Name

Florida Non Profit Corporation

HIDDEN COVE OF DAVIE CONDOMINIUM ASSOCIATION, INC.

Filing Information

Document Number N04000001572
FEI Number 200752098
Date Filed 02/10/2004
State FL
Status ACTIVE

Principal Address

4350 SW 59 AVE
 BLDG A
 FORT LAUDERDALE FL 33314

Changed 04/27/2005

Mailing Address

4350 SW 59 AVE
 BLDG A
 FORT LAUDERDALE FL 33314

Changed 04/27/2005

Registered Agent Name & Address

NACHMAN, IRVIN W P.A.
 4441 STIRLING RD
 FORT LAUDERDALE FL 33314 US

Name Changed: 04/27/2005

Address Changed: 04/27/2005

Officer/Director Detail

Name & Address

Title PD

HISS, JASON
6548 HIDDEN COVE DR
FORT LAUDERDALE FL 33314

Title VPD

VELLA, JOAN
6518 HIDDEN COVE DR
FORT LAUDERDALE FL 33314

Title SD

CERNUTO, MARIA
6856 HIDDEN COVE DR
FORT LAUDERDALE FL 33314

Title TD

SCHOEN, CONNIE
6549 HIDDEN COVE DR
FORT LAUDERDALE FL 33314

Title D

WATTS, SELMA
6566 HIDDEN COVE DR
FORT LAUDERDALE FL 33314

Annual Reports

Report Year Filed Date

2005	04/27/2005
2006	04/14/2006
2007	02/26/2007

Document Images

[02/26/2007 -- ANNUAL REPORT](#)

[04/14/2006 -- ANNUAL REPORT](#)

[04/27/2005 -- ANNUAL REPORT](#)

[02/10/2004 -- Domestic Non-Profit](#)

Note: This is not official record. See documents if question or conflict.

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**2007 NOT-FOR-PROFIT CORPORATION
ANNUAL REPORT**

FILED
Feb 26, 2007 8:00 am
Secretary of State

02-26-2007 90064 050 ****61.25

DOCUMENT # N04000001572
1. Entity Name
HIDDEN COVE OF DAVIE CONDOMINIUM ASSOCIATION, INC.



Principal Place of Business 4350 SW 59 AVE BLDG A FORT LAUDERDALE, FL 33314	Mailing Address 4350 SW 59 AVE BLDG A FORT LAUDERDALE, FL 33314
--	--

40024175



2. Principal Place of Business - No P.O. Box #		3. Mailing Address	
Suite, Apt. #, etc.		Suite, Apt. #, etc.	
City & State		City & State	
Zip	Country	Zip	Country

01192007 Chg-NP CR2E037 (12/06)

4. FEI Number 20-0752098	Applied For Not Applicable
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5. Certificate of Status Desired <input type="checkbox"/>	\$8.75 Additional Fee Required
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6. Name and Address of Current Registered Agent
NACHMAN, IRVIN W.P.A.
4441 STIRLING RD
FORT LAUDERDALE, FL 33314

7. Name and Address of New Registered Agent
Name
Street Address (P.O. Box Number is Not Acceptable)
City
FL Zip Code

B. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE: Kristin Utecht - President DATE: 2-20-07
Signature, typed or printed name of registered agent and title if applicable. (NOTE: Registered Agent signature required when reinstating)

**Filing Fee is \$61.25
Due by May 1, 2007**

9. Election Campaign Financing Trust Fund Contribution. **\$5.00 May Be Added to Fees**

**Make check payable to
Florida Department of State**

10. OFFICERS AND DIRECTORS	
TITLE NAME STREET ADDRESS CITY-ST-ZIP	PD HISS, JASON <input checked="" type="checkbox"/> Delete 6548 HIDDEN COVE DR FORT LAUDERDALE, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	VPD VELLA, JOAN <input type="checkbox"/> Delete 6518 HIDDEN COVE DR FORT LAUDERDALE, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	SD CERNUTO, MARIA <input checked="" type="checkbox"/> Delete 6856 HIDDEN COVE DR FORT LAUDERDALE, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	TD SCHOEN, CONNIE <input type="checkbox"/> Delete 6549 HIDDEN COVE DR FORT LAUDERDALE, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	D WATTS, SELMA <input checked="" type="checkbox"/> Delete 6566 HIDDEN COVE DR FORT LAUDERDALE, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Delete

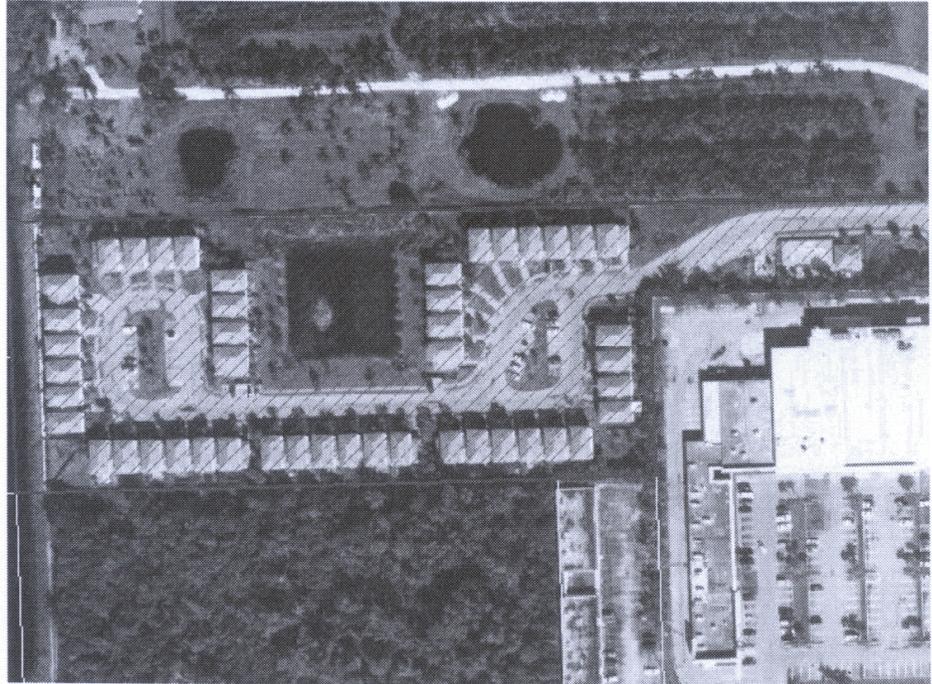
11. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 10	
TITLE NAME STREET ADDRESS CITY-ST-ZIP	PD Kristin Utecht <input checked="" type="checkbox"/> Change <input checked="" type="checkbox"/> Add 6627 Hidden Cove Dr. Davie, FL 33314
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Add
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Add
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Add
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Add

12. I hereby certify that the information supplied with this filing does not qualify for the exemptions contained in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears in Block 10 or Block 11 changed, or on an attachment with an address, with all other like empowered.

SIGNATURE: Kristin Utecht DATE: 2-20-07 DAYTIME PHONE #: 954-584-5211
SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING OFFICER OR DIRECTOR

Layers

- Highways
- Major Roads
- Twn-Rng-Sec
- Municipalities
- City Limits
- Zip Codes
- CRA Boundaries
- County Land Use
- City Zoning Codes
- Streets
- Parcels
- Aerials (2007)
- Aerials (2006)
- Aerials (2005)
- Aerials (2004)
- Aerials (2003)
- Aerials (2002)
- Aerials (2001)
- Aerials (2000)
- Aerials (1999)
- Aerials (1998)
- County Boundary



SELECTED PROPERTY-FOLIO: 504134AB0000

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