

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

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

PREPARED BY: Larry A. Peters, P.E., Town Engineer

SUBJECT: Resolution

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM EARLINE M. LACROIX, JON LACROIX, CHERYL LACROIX, THOMAS W. SWARTZ AND MICHELLE L. SWARTZ WHICH CONVEYS CERTAIN PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY ON SW 23RD STREET AND SW 148 AVENUE.

REPORT IN BRIEF:

The Town Engineering staff has determined that it is necessary for the benefit of the residents of the Town that certain right-of-way be obtained to provide for future public roadway. In order to accomplish this goal, the town staff has obtained from property owner 25 feet along the north property line and 30 feet along the east side of property line.

PREVIOUS ACTIONS: None

CONCURRENCES: N/A

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S):

Acceptance of the Special Warranty Deed

Attachment(s):

Resolution

Special Warranty Deed

Sketches of Survey (Right-Of-Way Dedication)

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FROM EARLINE M. LACROIX, JON LACROIX, CHERYL LACROIX, THOMAS W. SWARTZ AND MICHELLE L. SWARTZ WHICH CONVEYS CERTAIN PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY ON SW 23RD STREET AND SW 148 AVENUE.

WHEREAS, the resident wish to satisfy requirements for dedication of land for public right-of-way, and in furtherance thereof has tendered a Special Warranty Deed to the Town of Davie; and

WHEREAS, attached sketches of survey show said Right-of-Way dedication and acceptance of this Special Warranty deed would grant the Town of Davie said Right-of-Way; and

WHEREAS, the Engineering Division of the Development Services Department recommends acceptance of the Special Warranty Deed.

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 accepts the Special Warranty Deed dated _____ which is attached hereto as "Exhibit A".

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

Prepared By:
WILSON C. ATKINSON, III, ESQUIRE
Atkinson, Diner, Stone,
Mankuta & Ploucha, P.A.
One Financial Plaza, Suite 1400
Fort Lauderdale, FL 33394

Property Appraiser's Parcel
Identifying No. _____

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 4th day of February, 2005, between, EARLINE M. LaCROIX, a single woman, JON LaCROIX, joined by his spouse, CHERYL LaCROIX, and THOMAS W. SWARTZ and MICHELLE L. SWARTZ, his wife, Grantor,* and THE TOWN OF DAVIE, a municipal corporation, whose post office address is 6591 SW 45th Street, Davie, Florida, Grantee*;

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of Broward, State of Florida, to wit:

The North 25 feet, together with the East 30.00 feet, of the East 1/2 of the SE 1/4 of the SE 1/4 of Section 16, Township 50 South, Range 40 East, Broward County, Florida, together with the North 25.00 feet of the East 1/2 of the NW 1/4 of the SE 1/4 of the SE 1/4 of said Section 16, Township 50 South, Range 40 East

Said lands situate, lying and being in the Town of Davie, Broward County, Florida

Said property is hereby dedicated to the Grantee for roadway purposes, solely, and the Grantors reserve unto themselves, their heirs and assigns forever, rights of access to the adjacent property.

Said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor.

*(Wherever used herein the terms "Grantor" and "Grantee" shall include all parties to this instrument, the singular and plural, the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and other legal entities, wherever the context so admits or requires.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:

Keith A. Spencer

Name: KEITH A. SPENCER
(type or print)

Helen Baxter

Name: Helen Baxter
(type or print)

Keith A. Spencer

Name: KEITH A. SPENCER
(type or print)

Helen Baxter

Name: Helen Baxter
(type or print)

Keith A. Spencer

Name: KEITH A. SPENCER
(type or print)

Helen Baxter

Name: Helen Baxter
(type or print)

Earline M. LaCroix (SEAL)
EARLINE M. LaCROIX

Post Office Address:

15100 SW 26th St.

Davie, FL 33326

Jon LaCroix (SEAL)
JON LaCROIX

Post Office Address:

15100 SW 26th St.

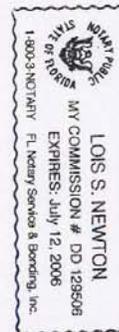
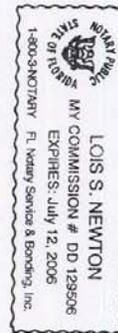
Davie, FL 33326

Cheryl LaCroix (SEAL)
CHERYL LaCROIX

Post Office Address:

15100 SW 26th St.

Davie, FL 33326



Keith A. Spencer

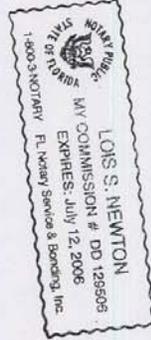
Name: KEITH A. SPENCER
(type or print)

Helen Baxter

Name: Helen Baxter
(type or print)

THOMAS W. SWARTZ (SEAL)

Post Office Address:
15091 SW 26th ST
DAVIE, FL 33326



Keith A. Spencer

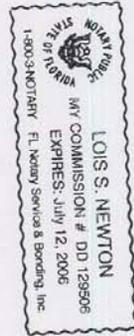
Name: KEITH A. SPENCER
(type or print)

Helen Baxter

Name: Helen Baxter
(type or print)

MICHELLE L. SWARTZ (SEAL)

Post Office Address:
15091 SW 26th ST
DAVIE, FL 33326



STATE OF FLORIDA
COUNTY OF BROWARD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me this 4th
day of February, 2005, by EARLINE M. LaCROIX, to me personally known X or
produced identification _____. Type of Identification produced _____.

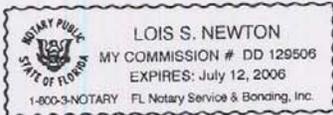


Lois S. Newton
Name:
Notary Public
My Commission Expires: July 12, 2006
Commission No.: DD 129506

STATE OF FLORIDA

COUNTY OF BROWARD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me this 4th
day of February, 2005, by JON LaCROIX, to me personally known X or produced
identification _____. Type of Identification produced _____.

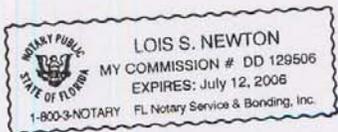


Lois S. Newton
Name:
Notary Public
My Commission Expires: July 12, 2006
Commission No.: DD 129506

STATE OF FLORIDA

COUNTY OF BROWARD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me this 4th
day of February, 2005, by CHERYL LaCROIX, to me personally known X or
produced identification _____. Type of Identification produced _____.



Lois S. Newton
Name:
Notary Public
My Commission Expires: July 12, 2006

Commission No.: DD 129506

STATE OF FLORIDA

COUNTY OF BROWARD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me this 4th day of February, 2005, by THOMAS W. SWARTZ, to me personally known X or produced identification _____. Type of Identification produced _____.



Lois S. Newton
Name:
Notary Public
My Commission Expires: July 12, 2006
Commission No.: DD 129506

STATE OF FLORIDA

COUNTY OF BROWARD

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me this 4th day of February, 2005, by MICHELLE L. SWARTZ, to me personally known X or produced identification _____. Type of Identification produced _____.



Lois S. Newton
Name:

Notary Public

My Commission Expires: July 12, 2006

Commission No.: DD 129 506

S:\98473\SPECIAL WARRANTY DEED.wpd


PULICE LAND SURVEYORS, INC.
5225 NORTH WALK ROAD
 OUNTER, FLORIDA 33051
 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
 E-MAIL: surveyors@puliceandsurveyors.com • CERTIFICATE OF AUTHORIZATION #LS3870



LEGAL DESCRIPTION: RIGHT-OF-WAY

THE NORTH 25.00 FEET, TOGETHER WITH THE EAST 30.00 FEET, OF THE EAST ONE HALF OF THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 40 EAST, BROWARD COUNTY, FLORIDA, TOGETHER WITH THE NORTH 25.00 FEET OF THE EAST ONE HALF OF THE NORTHWEST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 16, TOWNSHIP 50 SOUTH, RANGE 40 EAST. CONTAINING 63,786 SQUARE FEET, 1.4643 ACRES.

NOTES:

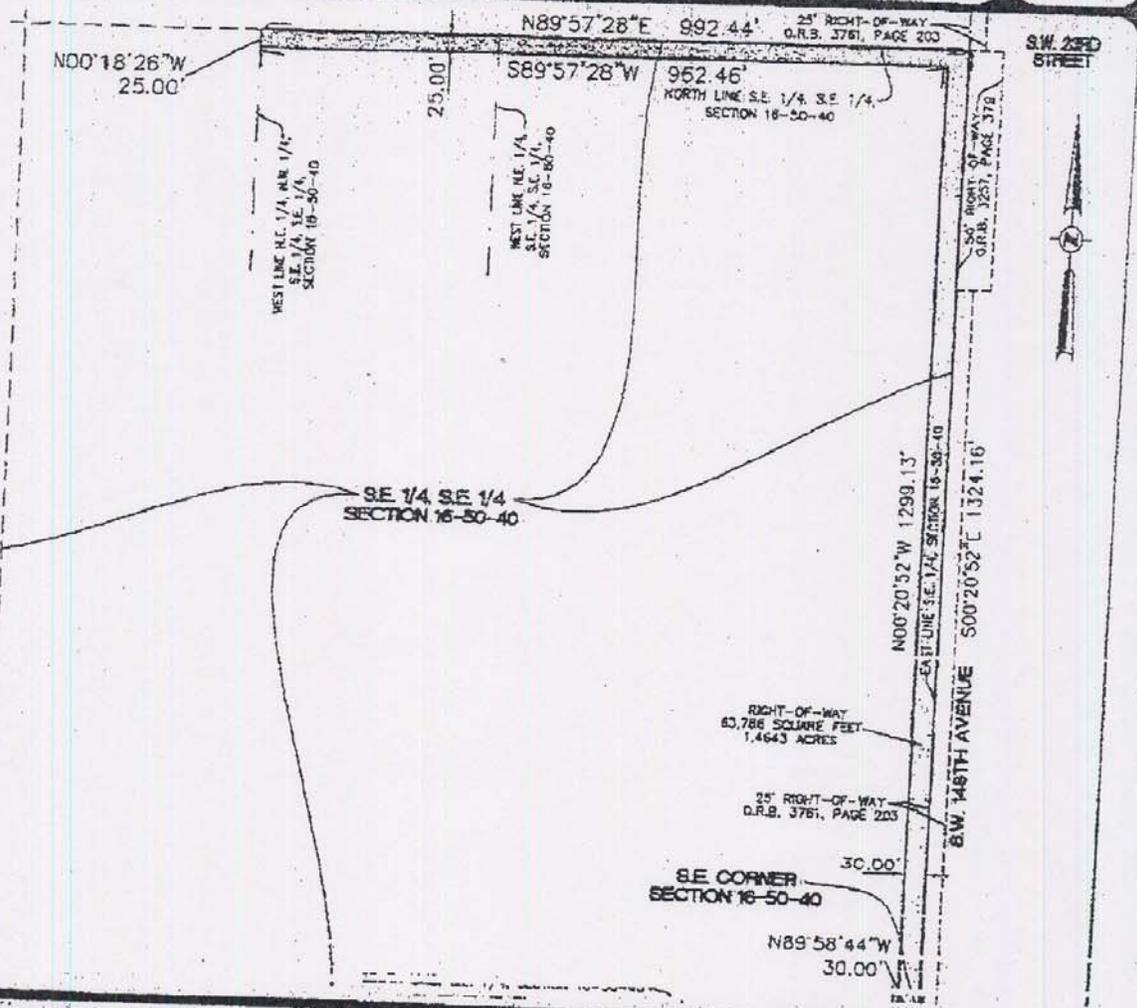
- 1) BEARINGS ARE BASED ON THE EAST LINE OF THE S.E. 1/4 OF SECTION 16 BEING N02°20'52"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) O.R.B. DENOTES: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

FILE: SUMMA ENTERTAINMENT INC.
SCALE 1"=200'

SHEET TWO OF TWO SHEETS

Exhibit A 1 of 2

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: surveyors@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION #LB3870



FILED: DUNRA ENTERTAINMENT, INC.
 SCALE: 1"=200'
 ORDER NO.: 452608
 DATE: 06/29/04
 SOUTHWEST 148TH AVENUE
 DADE COUNTY, FLORIDA
 S.D. I. MAND. WATERMAN

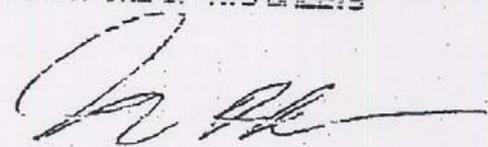
SHEET ONE OF TWO SHEETS

 John F. Dunra, Reg. Land Surveyor #0106
 State of Florida

Exhibit A 2 of 2