

# **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 2

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A DRAINAGE EASEMENT FROM THOMAS A. HAYDU AND JUDITH L. HAYDU, 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 drainage improvements be constructed. In order to accomplish this goal, the Town Staff has obtained from property owners, Thomas A. Haydu and Judith L. Haydu 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 Mr. A. Haydu and Judith L. Haydu the needed drainage 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 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 R-2006

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING A DRAINAGE EASEMENT FROM PROPERTY OWNERS THOMAS A. HAYDU AND JUDITH L. HAYDU; 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 a drainage easement from property owners, Thomas A. Haydu and Judith L. Haydu, in order to accomplish these needed improvements; and

WHEREAS, the Town has received from property owners, Thomas A. Haydu and Judith L. Haydu, 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 DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie, Florida does hereby authorize the Town to accept from the property owners 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 \_\_\_\_\_, 2006.

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

ATTEST:

TOWN CLERK

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

**This document prepared by  
and record and return to:**

Town of Davie  
6591 Orange Drive  
Davie, Florida 33314

### DRAINAGE EASEMENT

This Drainage Easement executed this 11 day of January, 2008, by **THOMAS A. HAYDU** and **JUDITH L. HAYDU**, (Grantors), whose address is 4931 SW 65<sup>th</sup> Avenue, Davie, Florida 33314, in which Grantors swear that Grantors are the legal owners of the referenced property and convey to the **TOWN OF DAVIE, FLORIDA**, a 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 the Grantors' best interest for the Grantors to grant to 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. Grantors will defend the title to said easement against all persons claiming by, through or under Grantors.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals to this Drainage Easement this 11 day of January, 2006.

**WITNESSES:**

[Signature]  
Witness

Print Name: Douglas F. Arns

[Signature]  
Witness

Print Name: Diana Sirola

**GRANTOR:**

[Signature]  
THOMAS A. HAYDU, Grantor

[Signature]  
JUDITH L. HAYDU, Grantor



STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 11 day of January 2006, by **THOMAS A. HAYDU** and **JUDITH L. HAYDU** who x are personally known to me, or who have produced \_\_\_\_\_ as identification, and who did not take an oath.

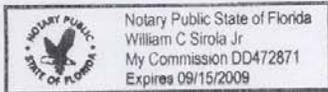
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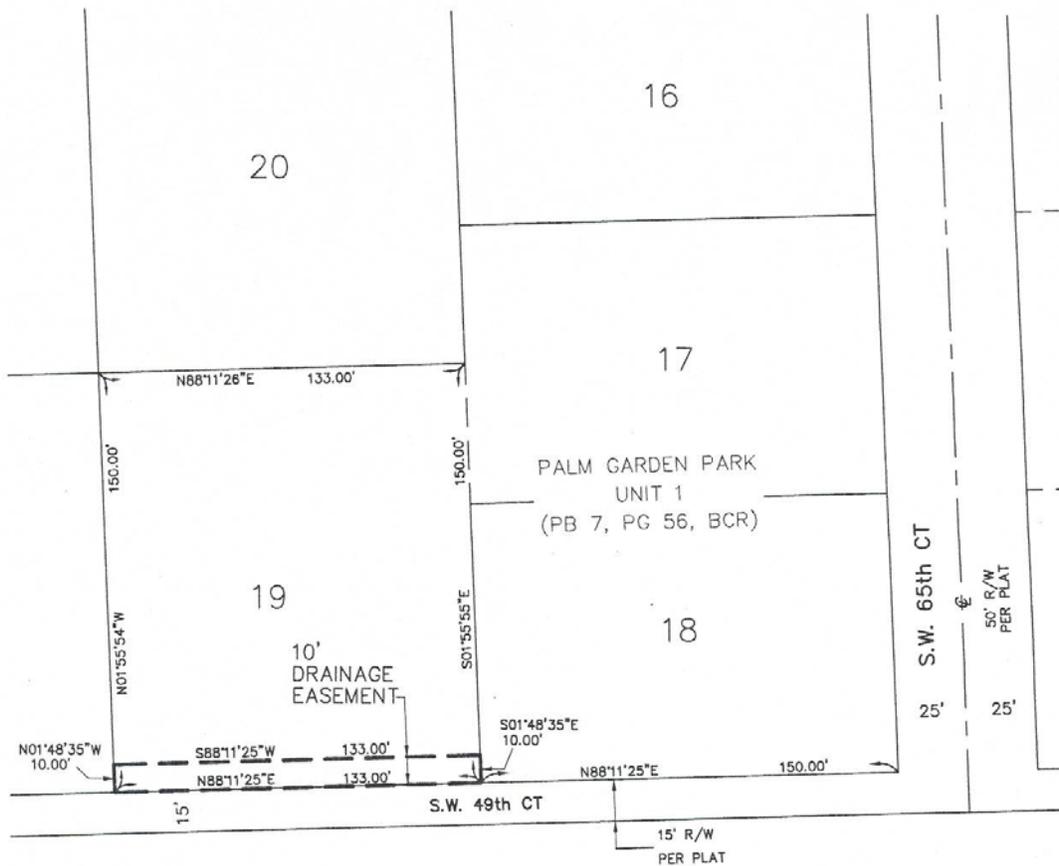
Notary Public, State of Florida at Large

William C. Sirola

Print, Type Name

My Commission Expires:





NOTES:  
 BEARINGS SHOWN HEREON ARE BASED ON "STONER-KEITH RESURVEY NO. III" AS RECORDED IN MISCELLANEOUS PLAT BOOK 5, PAGE 9, BROWARD COUNTY RECORDS, AND AS TRANSFORMED TO THE NORTH AMERICAN DATUM OF 1983, WITH THE 1990 ADJUSTMENT)

SUBJECT PROPERTY WAS NOT ABSTRACTED BY THIS FIRM FOR EASEMENTS, RIGHTS-OF-WAY, RESERVATIONS OR OTHER MATTERS OF RECORD.

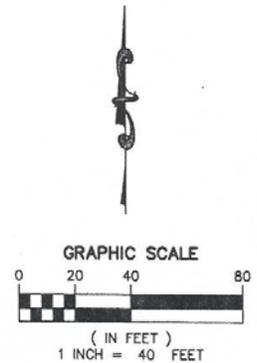
DESCRIPTION: (DRAINAGE EASEMENT)

THE SOUTH 10' OF LOT 19 OF "PALM GARDEN PARK UNIT 1" AS RECORDED IN PLAT BOOK 7, PAGE 56 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, BEING AND LYING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

ABBREVIATIONS:

- PB = PLAT BOOK
- PG = PAGE
- BCR = BROWARD COUNTY RECORDS
- R/W = RIGHT-OF-WAY
- C = CENTER LINE



**SKETCH AND DESCRIPTION**

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

DATE	REVISIONS	BY	CHK.

CERTIFIED TO:  
**TOWN OF DAVIE**

**MILLER LEGG**  
 South Florida Office: 1800 North Douglas Road · Suite 200  
 Pembroke Pines, Florida · 33024-3200  
 954-438-7000 · Fax: 954-438-8864  
 www.millerlegg.com

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61017-5, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.  
 DATED THIS 31 DAY OF MAY, 2005 A.D.

*Martin P. Rossi*  
**MARTIN P. ROSSI**  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION NO. \_\_\_\_\_  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER CERTIFICATE OF AUTHORIZATION, LICENSED

DRAWN BY: JDL CHECKED BY: MPR

PROJECT NO. 05-00216 FILE NO. 11-1C-203

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