

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 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN DRAINAGE EASEMENT FROM JASMINE LAKES PROPERTIES, CORP., 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, Jasmine Lakes Properties, Corp., the drainage easement needed by the Town for the installation and maintenance of the improvements. A copy of the drainage easement is attached to the accompanying Resolution and Town Council approval is necessary for the Town to accept from Jasmine Lakes Properties, Corp. the 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 _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING CERTAIN DRAINAGE EASEMENT FROM JASMINE LAKES PROPERTIES, CORP., PROPERTY OWNERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie and Central Broward Water Control District 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, Central Broward Water Control District and its residents; and

WHEREAS, the Town is in need of obtaining a drainage easement from property owners, Jasmine Lakes Properties, Corp., in order to install and maintain these needed improvements; and

WHEREAS, the Town has received from property owners, Jasmine Lakes Properties, Corp., the necessary drainage easement, a copy of which is attached hereto, which will enable the installation and maintenance of the 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

**TOWN OF DAVIE
DEVELOPMENT SERVICES DEPARTMENT ENGINEERING DIVISION &
CENTRAL BROWARD WATER CONTROL DISTRICT
DRAINAGE 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



Drainage Easement

This drainage easement executed this 5th day of January [date], 2006 by Jasmine Lyles Property Corp. (Grantors) whose address is 10 Reservoir Dr. Lawrence, NY 10559 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] and **Central Broward Water Control District (CBWCD)** [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** and **Central Broward Water Control District (CBWCD)** an easement in and along the easement premises for drainage purposes:

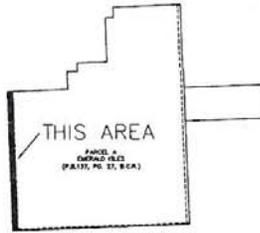
Therefore, in consideration of the foregoing:

1. The grantors hereby grant and convey to the **Town of Davie** and **Central Broward Water Control District (CBWCD)** 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** and **Central Broward Water Control District** 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:

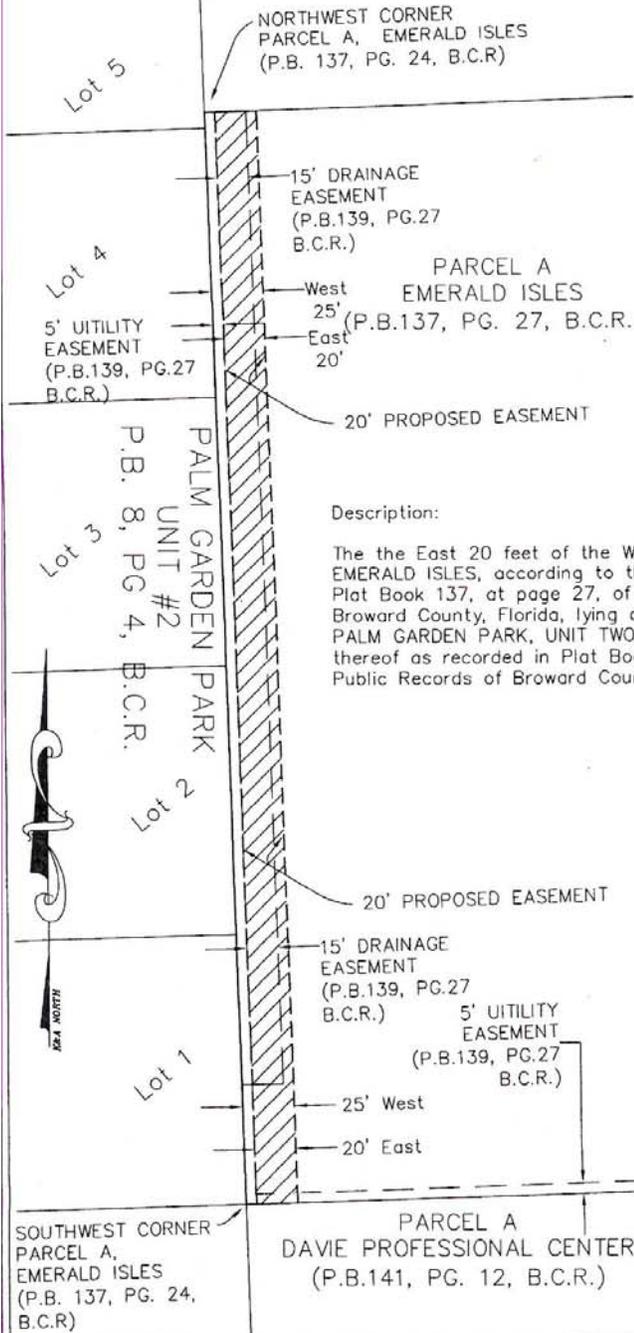
Exhibit A – easement premises legal description

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, and **Central Broward Water Control District (CBWCD)** its successors and assigns. Grantor will defend the title to said easement against all persons claiming by, through or under Grantor.

THIS IS NOT A SURVEY



LOCATION SKETCH
NOT TO SCALE



Description:

The the East 20 feet of the West 25 feet of Parcel A, EMERALD ISLES, according to the plat thereof as recorded in Plat Book 137, at page 27, of the Public Records of Broward County, Florida, lying adjacent to Lots 1 through 5, PALM GARDEN PARK, UNIT TWO according to the plat thereof as recorded in Plat Book 8, at page 4, of the Public Records of Broward County, Florida.

GREGORY WIRE
PROFESSIONAL SURVEYOR
AND MAPPER NO. 4437
STATE OF FLORIDA

DRAINAGE EASEMENT

A PORTION OF PARCEL A,
EMERALD ISLES
P.B. 137, PG. 27, B.C.R.
TOWN OF DAVIE
BROWARD COUNTY FLORIDA

KEITH
consulting engineers
301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500

SHEET 1 OF 1
DRAWING NO. DE Emerald Isles-revised

DATE 8/31/04
SCALE 1"=60'
FIELD BK. N/A
DWNG. BY GSM
CHK. BY gm

DATE	REVISIONS
12/13/05	Revised
N:02105.01:survey:cadd.	

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