Town Council Agenda Report

SUBJECT: Ordinance

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM BROLAND, INC., A FLORIDA CORPORATION, CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

REPORT IN BRIEF:

Broland, Inc., has conveyed a 50' public right-of-way adjacent to Indian Ridge Middle School which will serve the school properties and adjacent commercial and commerce parcels to the west. A public conveyance was a condition of the siting of Indian Ridge Middle School and the final construction approvals and documents have been completed.

PREVIOUS ACTIONS:

N/A

CONCURRENCES:

N/A

FISCAL IMPACT:

Has request been budgeted? N/A

RECOMMENDATION(S):

Motion to approve the Resolution

Attachment(s):

Ordinance
Warranty Deed
Site Location Map
Site Location Aerial

Item No.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM BROLAND, INC., A FLORIDA CORPORATION, CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Broland, Inc., a Florida Corporation wishes to dedicate land for public right-of-way, and in furtherance thereof has tendered a Warranty Deed to the Town of Davie. NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The grant made by Warranty Deed dated March 11, 1998, a copy of which is attached hereto as "Exhibit A", is hereby accepted.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION ___. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS_____DAY OF_____, 2000

PASSED ON SECOND READING THIS_____DAY OF_____, 2000

_____
MAYOR/COUNCILMEMBER

ATTEST:

_____
TOWN CLERK

APPROVED THIS _____ DAY OF _____ , 2000

This instrument was prepared by:
Name: Jeffrey S. Siniawsky, Esq.
Address: 790 E. Broward Blvd., #200
Fort Lauderdale, Fl 33301

Return To:
Davie Town Clerk's Office
6591 Orange Drive
Davie, Fl 33314

(Space above this line for recording data.)

WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture; made this 11th day of March. 1998 Between **BROLAND INC., a Florida Corporation, c/o Jerome Bauman, Esq., 7820 Peters Road, Suite E103, City of Plantation of the County of Broward, State of Florida, grantor*, and the TOWN OF DAVIE, A Municipal Corporation, whose post office address is 6591 Orange Drive, Davie, Florida 33314, of Broward County, State of Florida, grantee*,**

Witnesseth that said grantor, for and in consideration of the sum of Ten and 00/100-- ($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 Broward County, Florida, for public road right of way purposes to-wit (the "Property"):

See Exhibit "A" attached to and made a part of this deed.

and said grantor does hereby fully warrant the title to said Property, and will defend the same against the lawful claims of all persons whomever.

Grantor hereby retains a perpetual easement over and through the Property for purposes of access to and from grantor's property by Grantor, its guests and invitees and Grantor's successors and assigns and their guests and invitees.

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:

BROLAND, INC., a Florida corporation

By: _____ SEAL
J.G. Brouwer, President
7820 Peters Road, Suite E103
Plantation, Fl 33324

_____ SEAL

PRINT NAME

PRINT NAME

PRINT NAME

Gillian Cunningham
PRINT NAME

OFFICIAL NOTARY SEAL
G CUNNINGHAM
COMMISSION NUMBER
CC444780
MY COMMISSION EXP.
APR. 30,1999

STATE OF FLORIDA :
:SS
COUNTY OF BROWARD :

The foregoing instrument was acknowledge before me this 11th day of March, 1998, by J G Brouwer who is/are ~~personally known to~~ me or who has/have produced Drivers licens as identification and ~~has/have has not~~/have not taken an oath.

Notary Public, State of Florida

Print Name: Gillian Cunningham

My Commission Expires:

OFFICIAL NOTARY SEAL
G CUNNINGHAM
COMMISSION NUMBER
CC444780
MY COMMISSION EXP.
APR. 30,1999

*"Grantor" and "Grantee" are used for singular and plural, as context requires.

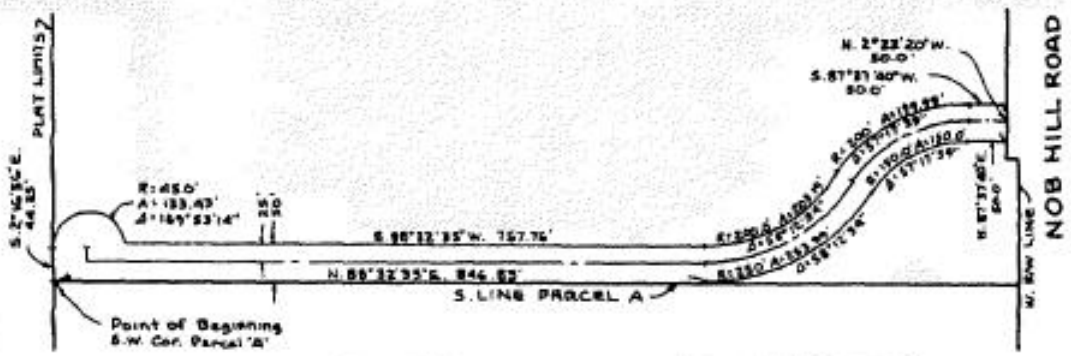
SKETCH OF THE ROADWAY IN PARCEL A
NOB HILL VILLAGE

DESCRIPTION

That portion of Parcel A, according to the plat of NOB HILL VILLAGE, as recorded in Plat Book 134 at Page 26 of the Public Records of Broward County, Florida, described as follows:

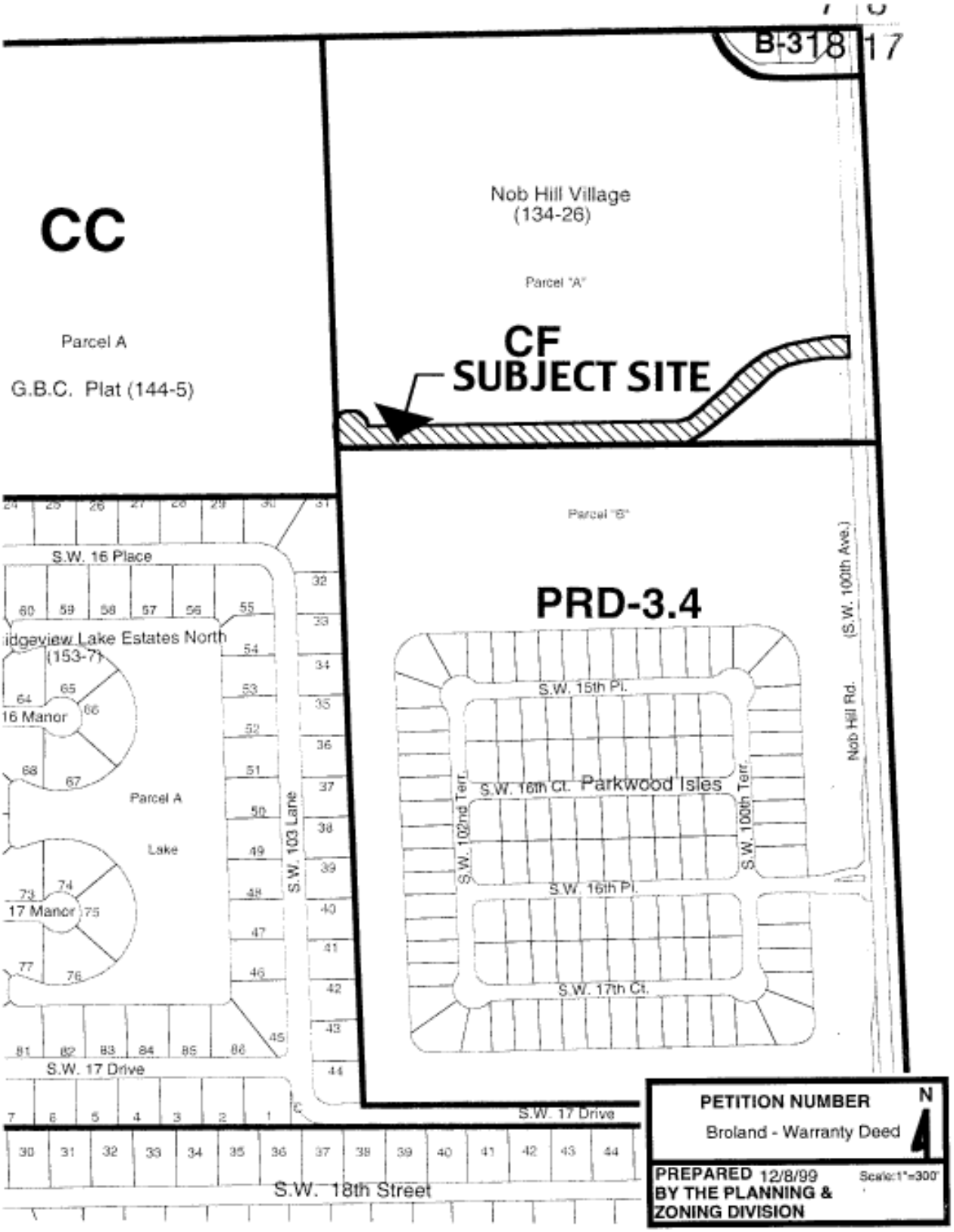
Beginning at the Southwest corner of said Parcel A; thence run North 88°32'35" East (on a plat bearing) 846.83 feet along the South boundary of said Parcel A, to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 250 feet and a central angle of 58°12'34", run Northeasterly 253.99 feet to a point of reverse curvature; thence along the arc of a curve to the right, having a radius of 150 feet and a central angle of 57°17'39", run Northeasterly 150 feet to a point of tangency; thence run North 87°37'40" East 50 feet along the tangent extended to an intersection with the East boundary of said Parcel A; thence run North 2°22'20" West 50 feet along said East boundary; thence run South 87°37'40" West 50 feet to a point of curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 200 feet and a central angle of 57°17'39", run Southwesterly 199.99 feet to a point of reverse curvature; thence along the arc of a curve to the right, having a radius of 200 feet and a central angle of 58°12'34", run Southwesterly 203.19 feet to a point of tangency on a line 50 feet North of as measured at right angles and parallel to said South boundary of Parcel A; thence run South 88°32'35" West 757.76 feet along said parallel line to a point of intersection with the arc of a curve running Northwesterly, Westerly and Southwesterly to the left, a radial at said point bearing South 82°10'10" West; thence along the arc of said curve to the left, having a radius a radial of 45 feet and a central angle of 169°53'14", run Northwesterly, Westerly and Southwesterly 133.43 feet to a point of tangency on the West boundary of said Parcel A; thence run South 2°16'56" East 44.35 feet along said West boundary, to the Point of Beginning.

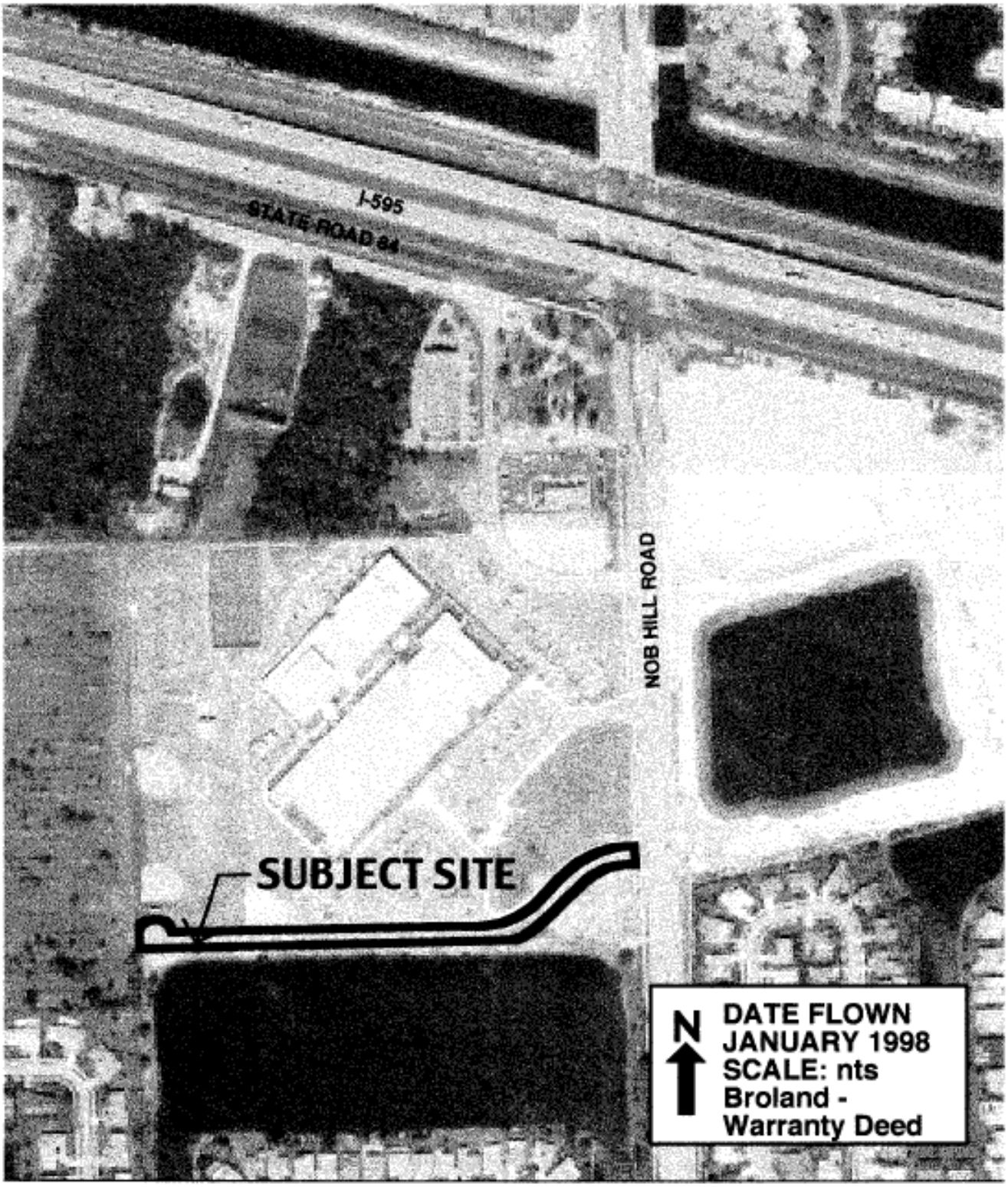
Said lands situate in the Town of Davie, Broward County, Florida, and containing 1.556 acres, more or less.



BY: C.C. WINNINGHAM CORPORATION
1040 N.E. 45th St.

SCALE 1"=200'


B-318
CC
Parcel A
G.B.C. Plat (144-5)
Nob Hill Village
(134-26)
Parcel "A"
CF
SUBJECT SITE
Parcel "B"
PRD-3.4
S.W. 15th Pl.
S.W. 16th Ct.
Parkwood Isles
S.W. 102nd Terr.
S.W. 100th Terr.
S.W. 16th Pl.
S.W. 17th Ct.
Nob Hill Rd.
(S.W. 100th Ave.)
S.W. 16 Place
idgeview Lake Estates North
(153-7)
16 Manor
17 Manor
Parcel A
Lake
S.W. 103 Lane
S.W. 17 Drive
S.W. 18th Street
PETITION NUMBER
Broland - Warranty Deed
N
4
PREPARED 12/8/99
BY THE PLANNING &
ZONING DIVISION
Scale:1"=300'


I-595
STATE ROAD 84
NOB HILL ROAD
SUBJECT SITE
N
DATE FLOWN
JANUARY 1998
SCALE: nts
Broland -
Warranty Deed