



Town Council Agenda Report

SUBJECT: Ordinance

CONTACT PERSON/NUMBER Cheryl Dolin 797-1191

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE UTILITY EASEMENTS TO FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town is in need of electrical services for the improvements in Pine Island Park. Florida Power & Light requires a recorded easement prior to this installation. This ordinance conveys the needed easements to accomplish this task.

PREVIOUS ACTIONS:

N/A

CONCURRENCES:

N/A

FISCAL IMPACT:

Has request been budgeted? N/A

RECOMMENDATION(S):

Motion to Approve the Ordinance

Attachment(s):

Ordinance

Easements

Sketches and Legal Descriptions

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE UTILITY EASEMENTS TO FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Power & Light Company is in need of Easements from the Town of Davie for the construction, operation and maintenance of electric utility facilities for Pine Island Park; and

WHEREAS, in furtherance thereof, the Town of Davie desires to grant said easements to Florida Power & Light Company.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby authorizes the appropriate Town officials to execute Easements to Florida Power & Light Company, copies of which are attached hereto as Exhibit "A".

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 of 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 3. 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

Work Order No. _____

EASEMENT

This Instrument Prepared By

Sec. 29, Twp 50 S., Rge 41 E

Name: _____

Parcel I.D. # _____
(Maintained by County Appraiser)

Co. Name: FPL Co.

Address _____

Form 3722 (Stocked) Rev. 7/54

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them within an easement _____ feet in width described as follows:



See attached Exhibit "A"

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, _____.

Signed, sealed and delivered in the presence of:

(Witness Signature)

Print Name _____
(Witness)

(Witness Signature)

Print Name _____
(Witness)

TOWN OF DAVIE
(Corporate Name)

By: _____
Mayor

Print Name: Harry Venis

Print Address: 6591 Orange Drive
Davie FL 33314-3399

Attest: _____

Acting Town Clerk
Print Name: Barbara McDaniel

Print Address: 6591 Orange Drive
Davie FL 33314-3399

(Corporate Seal)

STATE OF Florida AND COUNTY OF Broward. The foregoing instrument was acknowledged before me this _____ day of _____, by Harry Venis, and Barbara McDaniel respectively the _____ Mayor and Acting Town Clerk of the Town of Davie, a municipal corporation, on behalf of said corporation, who are personally known to me or have produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____



Indicates Marker
 Scale 1" = 150'

Legend
 Mol. Cap. = McLaughlin Cap
 Elev. = Elevation
 M/S = Wheel
 Conc. = Concrete
 M = Measured
 P.O.B. = Point of Beginning
 P.O.T. = Point of Termination

Sketch and Description
 10' Utility Easement

A 10 foot strip of land lying 5.00 feet on each side of the centerline, being a portion of Parcel "A", PINE ISLAND PARK, according to the plat thereof, as recorded in Plat Book 136, Page 28, of the public records of Broward County, Florida and a portion of Tracts 1, 2, 15, 16, 17 and 18, JOHN W. NEWMAN'S SURVEY, according to the plat thereof, as recorded in Plat Book 2, Page 28, of the public records of Dade County, Florida, lying in Section 29, Township 50 South, Range 41 East, said centerline being more fully described as follows:

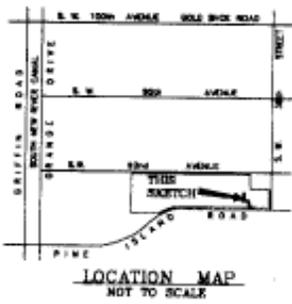
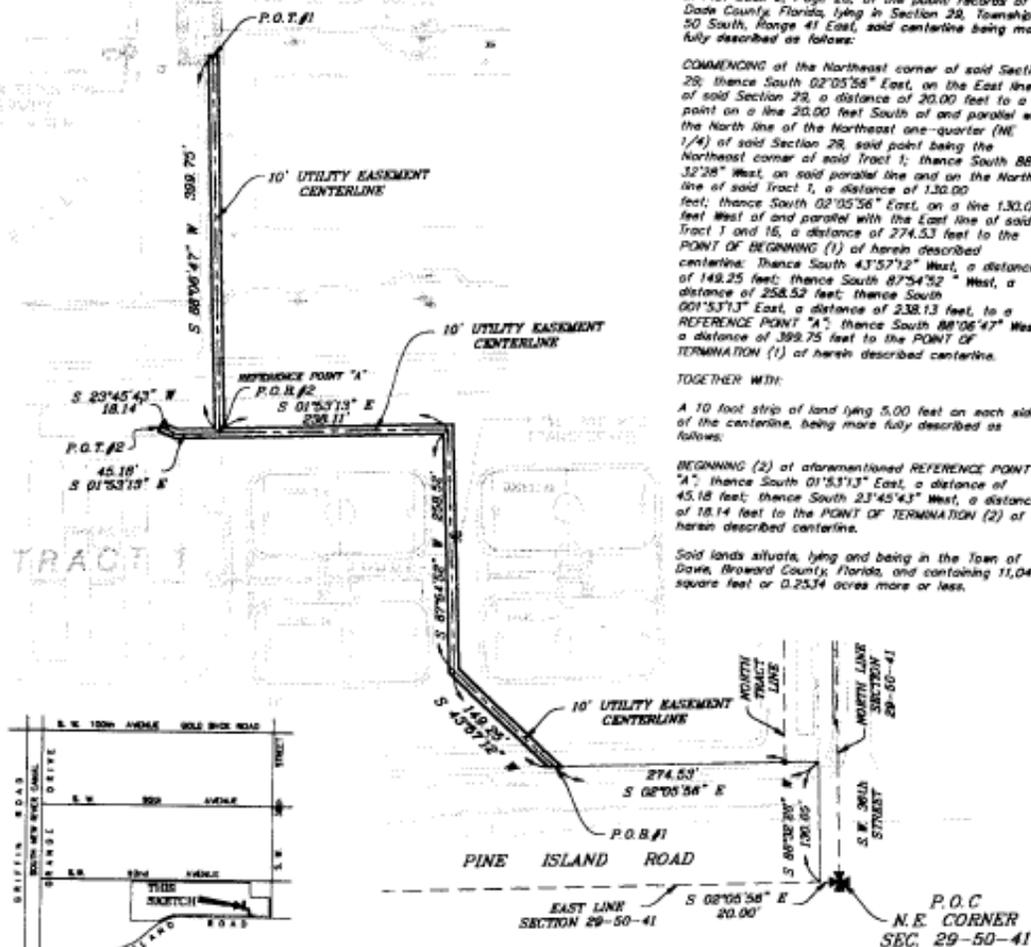
COMMENCING at the Northeast corner of said Section 29; thence South 02°05'58" East, on the East line of said Section 29, a distance of 20.00 feet to a point on a line 20.00 feet South of and parallel with the North line of the Northeast one-quarter (NE 1/4) of said Section 29, said point being the Northeast corner of said Tract 1; thence South 88°32'28" West, on said parallel line and on the North line of said Tract 1, a distance of 150.00 feet; thence South 02°05'58" East, on a line 130.00 feet West of and parallel with the East line of said Tract 1 and 16, a distance of 274.53 feet to the POINT OF BEGINNING (1) of herein described centerline; thence South 43°57'12" West, a distance of 148.25 feet; thence South 87°54'52" West, a distance of 258.52 feet; thence South 001°53'13" East, a distance of 238.13 feet, to a REFERENCE POINT "A"; thence South 88°06'47" West, a distance of 399.75 feet to the POINT OF TERMINATION (1) of herein described centerline.

TOGETHER WITH:

A 10 foot strip of land lying 5.00 feet on each side of the centerline, being more fully described as follows:

BEGINNING (2) of aforementioned REFERENCE POINT "A"; thence South 01°53'13" East, a distance of 45.18 feet; thence South 23°45'43" West, a distance of 18.14 feet to the POINT OF TERMINATION (2) of herein described centerline.

Said lands situate, lying and being in the Town of Dade, Broward County, Florida, and containing 11,040 square feet or 0.2534 acres more or less.



CERTIFICATION:

We hereby certify that this sketch meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 11th day of September, 2000.

McLAUGHLIN ENGINEERING CO.

Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

NOTES:

1. THIS IS NOT A SURVEY
2. This sketch reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.
3. Description prepared by McLaughlin Engineering Co. this 11th day of September, 2000, and does not infer title or ownership
4. Bearing are assumed and refer to

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

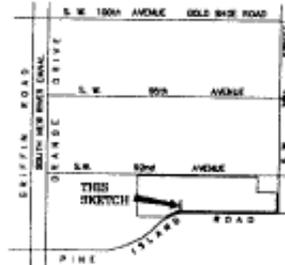
FIELD BOOK NO. N/A
 JOB ORDER NO. T-4115

DRAWN BY: DRP
 CHECKED BY:

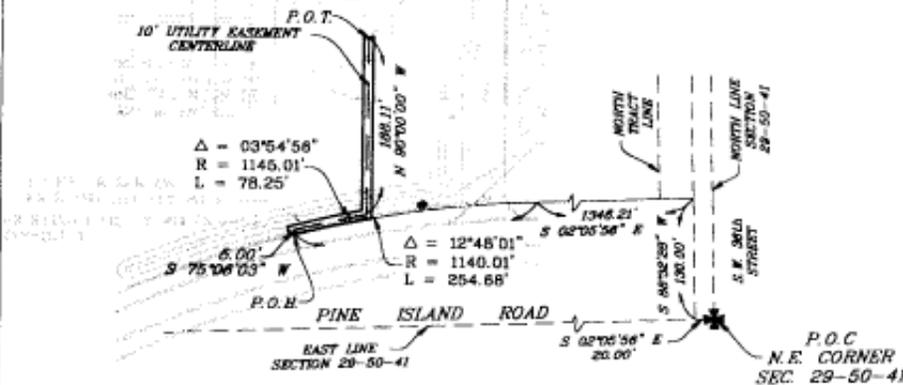


* Indicates Marker
 Scale 1" = 150'

Legend
 M.L. Cap. = McLaughlin Cap
 Elev. = Elevation
 1/2" = 10' Street
 Conc. = Concrete
 M. = Measured
 P.O.C. = Point of Commencement
 P.O.B. = Point of Beginning
 P.O.T. = Point of Termination



LOCATION MAP
 NOT TO SCALE



Sketch and Description
 10' Utility Easement

A 10 foot strip of land lying 5.00 feet on each side of the centerline, being a portion of Parcel "A", PINE ISLAND PARK, according to the plat thereof, as recorded in Plat Book 135, Page 28, of the public records of Broward County, Florida and a portion of Tracts 1, 2, 15, 16, 17 and 18, JOHN W. NEWMAN'S SURVEY, according to the plat thereof, as recorded in Plat Book 2, Page 26, of the public records of Dade County, Florida, lying in Section 29, Township 50 South, Range 41 East, said centerline being more fully described as follows:

COMMENCING at the Northeast corner of said Section 29; thence South 02°05'56" East, on the East line of said Section 29, a distance of 20.00 feet to a point on a line 20.00 feet South of and parallel with the North line of the Northeast one-quarter (NE1/4) of said Section 29, said point being the Northeast corner of said Tract 1; thence South 88°12'28" West, on said parallel line and on the North line of said Tract 1, a distance of 130.00 feet; thence South 02°05'56" East, on a line 130.00 feet West of and parallel with the East line of said Tract 1 and 16, a distance of 1,346.21 feet, to a point of curve; thence Southerly on a curve to the left, with a radius of 1140.01 feet, a central angle of 12°48'01", an arc distance of 254.68 feet, to a point; thence South 75°06'03" West, a distance of 5.00 feet to the POINT OF BEGINNING, and a point on a curve that is radial to last mentioned course; thence Northerly on a curve to the right, with a radius of 1145.01 feet, a central angle of 03°54'56", an arc distance of 75.25 feet, to a point; thence North 90°00'00" West, a distance of 188.11 feet to the POINT OF TERMINATION of herein described centerline.

Said lands situate, lying and being in the Town of Davie, Broward County, Florida, and containing 2,714 square feet or 0.0623 acres more or less.

NOTES:

1. THIS IS NOT A SURVEY
2. This sketch reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.
3. Description prepared by McLaughlin Engineering Co. this 11th day of September, 2000, and does not infer title or ownership
4. Bearing are assumed and refer to

CERTIFICATION:

We hereby certify that this sketch meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 11th day of September, 2000.

McLAUGHLIN ENGINEERING CO.

Jerald A. McLaughlin
 Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

FIELD BOOK NO. N/A
 JOB ORDER NO. T-4115

DRAWN BY: DRP
 CHECKED BY:



• Indicates Marker
 Scale 1" = 150'

Legend
 M.L. Cap. = McLaughlin Cap
 Elev. = Elevation
 1/2" = 10' Street
 Conc. = Concrete
 M. = Measured
 P.O.C. = Point of Commencement
 P.O.B. = Point of Beginning
 P.O.T. = Point of Termination

SHEET 1 OF 2

Sketch and Description
 10' Utility Easement

A 10 foot strip of land lying 5.00 feet on each side of the centerline, being a portion of Parcel "A", PINE ISLAND PARK, according to the plat thereof, as recorded in Plat Book 139, Page 28, of the public records of Broward County, Florida and a portion of Tracts 1, 2, 15, 16, 17 and 18, JOHN W. NEWMAN'S SURVEY, according to the plat thereof, as recorded in Plat Book 2, Page 26, of the public records of Dade County, Florida, lying in Section 29, Township 50 South, Range 41 East, said centerline being more fully described as follows:

COMMENCING at the Northeast corner of said Tract 16; thence North 02°05'56" West, on the East line of said Section 29, a distance of 218.29 feet; thence North 90°00'00" West, a distance of 50.04 feet to the POINT OF BEGINNING (1) of herein described centerline; thence continuing North 90°00'00" West, a distance of 781.69 feet, to a REFERENCE POINT "A"; thence North 90°00'00" West, a distance of 98.59 feet; thence North 01°50'45" West, a distance of 606.50 feet; thence South 88°09'05" West, a distance of 390.08 feet to the POINT OF TERMINATION (1) of herein described centerline.

TOGETHER WITH:

A 10 foot strip of land lying 5.00 feet on each side of the centerline, being more fully described as follows:

BEGINNING (2) at aforementioned REFERENCE POINT "A"; thence South 00°00'00" East, a distance of 75.81 feet to the POINT OF TERMINATION (2) of herein described centerline.

Said lands situate, lying and being in the Town of Davie, Broward County, Florida, and containing 19,470 square feet or 0.4470 acres or less.

NOTES:

1. THIS IS NOT A SURVEY
2. This sketch reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.
3. Description prepared by McLaughlin Engineering Co. this 11th day of September, 2000, and does not infer title or ownership
4. Bearing are assumed and refer to

CERTIFICATION:

We hereby certify that this sketch meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 11th day of September, 2000.

McLAUGHLIN ENGINEERING CO.

Jerald A. McLaughlin
 Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

FIELD BOOK NO. N/A
 JOB ORDER NO. T-4115

DRAWN BY: DRP
 CHECKED BY: _____

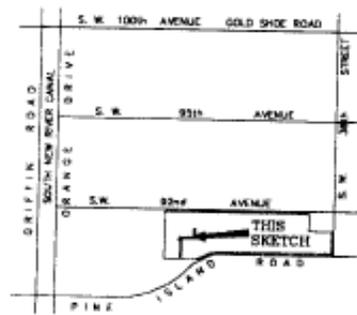
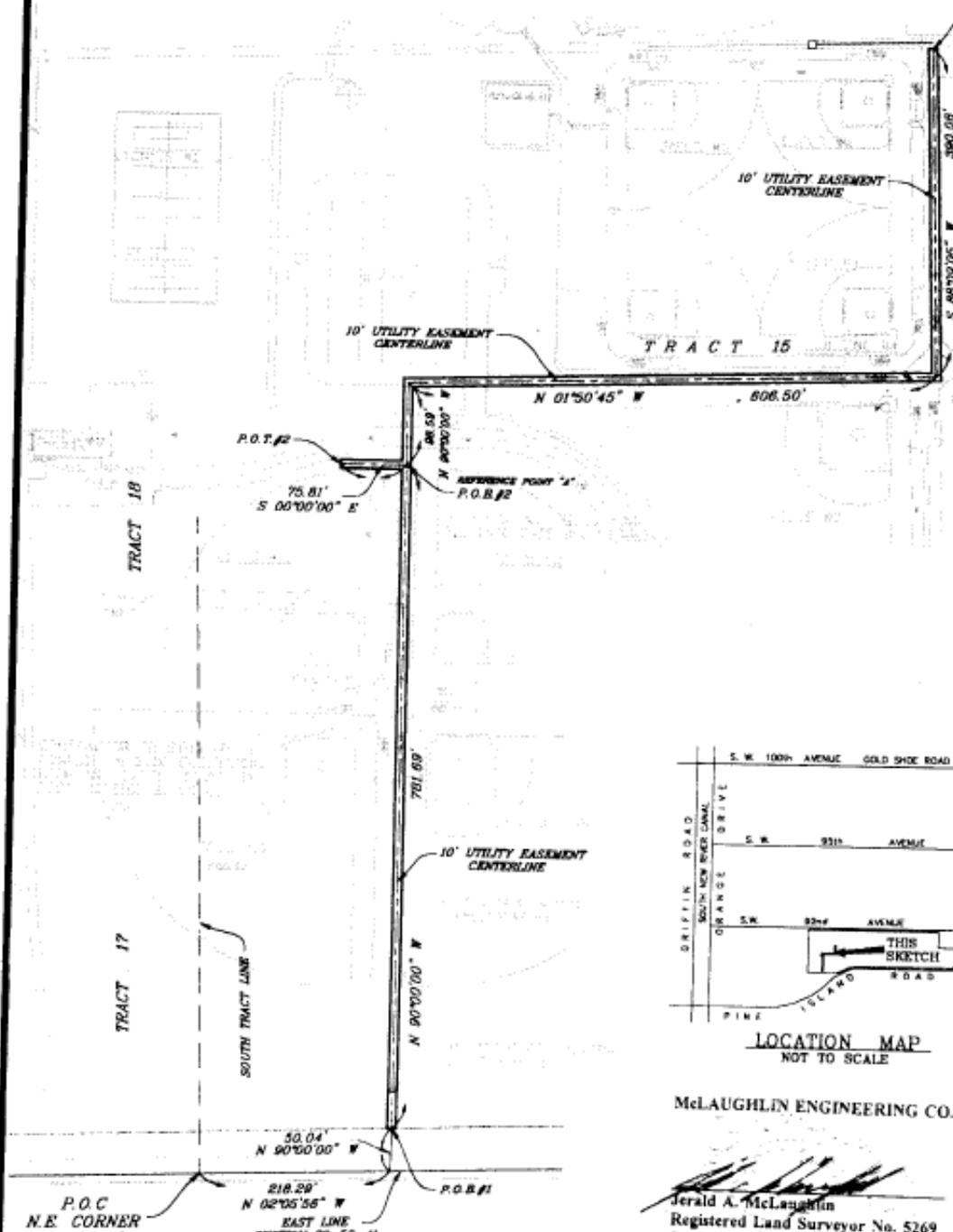


• Indicates Marker
 Scale 1" = 150'

LEGEND

- M.C. Cap. = McLaughlin Cap
- Elev. = Elevation
- M/W = With
- O/S = Offset
- Conc. = Concrete
- M = Measured
- P.O.C. = Point of Commencement
- P.O.B. = Point of Beginning
- P.O.T. = Point of Termination

SHEET 2 OF 2



LOCATION MAP
 NOT TO SCALE

McLAUGHLIN ENGINEERING CO.

Jerald A. McLaughlin
 Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

P.O.C.
 N.E. CORNER
 TRACT 16
 SEC. 29-50-41

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

FIELD BOOK NO. N/A
 JOB ORDER NO. T-4115

DRAWN BY: DRP
 CHECKED BY: _____