

RESOLUTION NO. R 2022-119

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE TRANSFER OF CERTAIN SEGMENTS OF RIGHT-OF-WAY FROM BROWARD COUNTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in a letter dated May 2, 2022, the Broward County Public Works Department, Real Property Division, identified several segments of Broward County right-of-way as being suitable for transfer to the Town of Davie; and

WHEREAS, the Town Engineer agrees that the rights-of-way identified in Exhibit "A" function as local streets and are therefore suitable to be transferred to the Town of Davie; and

WHEREAS, the Town Council deems it appropriate to accept the rights-of-way identified in Exhibit "A" as Town rights-of-way and to assume appropriate maintenance responsibility.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE THAT:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town of Davie as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. The Town Council of the Town of Davie hereby agrees to accept the rights-of-way identified in Exhibit "A" as Town rights-of-way.

Section 3. Conflict. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Council that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 27th DAY OF JULY, 2022.



MAYOR/COUNCILMEMBER

ATTEST:



ASSISTANT TOWN CLERK

APPROVED THIS 27th DAY OF JULY, 2022.

Approved as to Form and Legality:



TOWN ATTORNEY

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

Folio Number

504011010600

Legal Description

The North 15 feet and the West 15 feet of Tract 64, of the Subdivision of "FLORIDA FRUIT LANDS CO. NO. 1", as recorded in Plat Book 2, Page 17, of the Public Records of Dade County, Florida.

Parcel 2:

Folio Number

504015010710

Legal Description

All that portion of Tracts 48, 45, 43, 42 and 41, Section 15, Township 50 South, Range 40 East, FLORIDA FRUIT LAND COMPANY'S PLAT NO. 1, as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, lying within 25.0 feet of the West boundary of said Tracts, also being the West boundary of said Section 15.

Parcel 3:

Folio Number

504125010710

Legal Description

The North 15 feet and the West 10 feet of Tract 5 and the West 10 feet of Track 12 all of Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey as recorded in Original Dade Book 2, of Plats, at page 26 of the public records of Dade County, Florida. Said land, situate, lying and being in Broward County, Florida.

AND

The East 5 feet of the West 15 feet of Tract 5, Section 25, Township 50 South, Range 41 East according to Newman's Survey recorded in Plat Book 2, Page 26 of the public records of Dade County, Florida.

AND

All that external area lying Northwesterly of the arc formed by a 25.0 foot radius which is tangent to a line 15.0 feet East of and parallel to the West boundary of Tract 5, Section 25, Township 50 South, Range 41 East, Newman's Survey, according to the Plat thereof Recorded in Plat Book 2, Page 26, Public Records of Dade County, Florida and tangent to a line 15.0 feet South of and parallel to the North boundary of said Tract 5.

Parcel 4:

Folio Number

504125010720

Legal Description

The East 5 feet of the West 15 feet of Tract 12, Section 25, Township 50 South, Range 41 East according to Newman's Survey recorded in Plat Book 2, Page 26 of the public records of Dade County, Florida.

Parcel 5:

Folio Number

504125010830

Legal Description

The East 10 feet of Tract 11, Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey, recorded in Plat Book "B", at page 137, of the public records of Dade County, Florida; said land, situate, lying and being in Broward County, Florida. This parcel is sold under the condition that it is be used only for the widening of the present street.

AND

The East 10 feet of Tract 6, Section 25, Township 50 South, Range 41 East, according to the plat of Newman Survey, recorded in Plat Book "B", at page 137, of the public records of Dade County, Florida; said land, situate, lying and being in Broward County, Florida.

Parcel 6:

Folio Number

504133010502

Legal Description

East fifteen feet of Tract Forty-five (45) according to the Everglades Sugar and Land Co. subdivision of Section Thirty-three (33) Township fifty (50) South, Range forty-one (41) East, according to plat thereof recorded in plat book 3 page 67, of the public records of Dade County, Florida.

Parcel 7:

Folio Number

504133010930

Legal Description

East fifteen feet of Tract Sixty-four A (64A) according to the Everglades Sugar and Land Co. subdivision of Section Thirty-three (33) Township fifty (50) South, Range Forty-one (41) East, according to plat thereof recorded in plat book 3 page 67, of the public records of Dade County, Florida.

Parcel 8:

Folio Number

514103010990

Legal Description

All that portion of the East 30.0 feet of Tract 17, Section 3, Township 51 South, Range 41 East, according to the Plat of A.J. Bendle's Subdivision, as recorded in Plat Book 1, Page

27, Public Records of Dade County, Florida, LESS that portion for Stirling Road right of way; AND

All that external area lying Northeasterly of an arc formed by a 25.0 foot radius which is tangent to a line 30.0 feet West of and parallel to the East boundary of said Tract 17 and tangent to a line 53.0 feet South of and parallel to the North boundary of said Section 3.

AND

All that portion of Tract 16, Section 3, Township 51 South, Range 41 East, according to the Plat of A. J. Bendle Subdivision, as recorded in Plat Book 1, Page 27, Public Records of Dade County, Florida, lying within 55.0 feet South of and parallel to the North boundary of said Section 3; AND

The West 30.0 feet of said Tract 16, LESS the South 400.0 feet and also LESS that portion lying within 55.0 feet South of and parallel to the North boundary of said Section 3; AND

All that external area lying Northwesterly of an arc formed by a 25.0 foot radius which is tangent to a line 55.0 feet South of and parallel to the North boundary of said Section 3 and tangent to a line 30.0 feet East of and parallel to the West boundary of Tract 16.

AND

West 30 feet of the South 400 feet of Tract 16 of Section 3, Township 51 South, Range 41 East of "A. J. Bendle Sub." According to the Plat thereof as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida, said lands situate, lying and being in Broward County, Florida.

Parcel 9:

Folio Number

514103011050

Legal Description

The East 25 feet of Tracts 21, 22, 23 and 24 of A. J. BENDLE'S SUBDIVISION, in Section Three (3), Township 51 South, Range 41 East, according to the Plat thereof recorded in Plat Book 1, Page 27, of the Public Records of Dade County, Florida.

Parcel 10:

Folio Number

514103011060

Legal Description

The North 35.0 feet of the North Half ($N\frac{1}{2}$) of Tract 18 of A.J. BENDLE SUBDIVISION of Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the public records of Dade County, Florida;

AND

The West 25.0 feet of the Said North Half ($N\frac{1}{2}$); of Tract 18

AND

That portion of the Said North Half ($N\frac{1}{2}$) lying Northwesterly of an arc having a radius of 15.0 feet which is arc tangent to a line 25.0 feet East of and parallel to the West boundary of Said North Half ($N\frac{1}{2}$) and arc tangent to a line 35.0 feet South of and parallel to the North boundary of Said Tract.

AND

The west 25 feet of the south half of tract 18 and the west 25 feet of tract 31 of A. J. Bendles Subdivision of Section 3, Township 51 South, Range 41 East as recorded in Plat Book 1 at page 27 of the Public Records of Dade County and that portion of tracts 31 and 32 of said subdivision lying within 25 feet of the south boundary of the north half of said section. Said lands lying and being in Broward County, Florida.

AND

The East 5 feet of the West 30 feet of Tracts 18 and 31, less the North 23 feet and South 20 feet thereof, together with the North 5 feet of the South 20 feet of Tracts 31 and 32, together with the North 365.42 feet of the South 385.42 feet of the East 30 feet of Tract 32, "A.J. Bendle Subdivision of Section 3, Township 51 South, Range 41 East", according to the plat thereof recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida, lying and being in Broward County, Florida.

Parcel 11:

Folio Number

514103011090

Legal Description

The North 20.0 feet of the East 275.0 feet of the South Half (S½) of Tract 39, of A. J. Bendle Subdivision of Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida.

AND

The North 20.0 feet of the West 250.0 feet of the East 525.0 feet of the South Half (S½) of Tract 39, A. J. Bendle Subdivision, Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27, Public Records of Dade County, Florida.

AND

The North 25 feet of the West 375 feet of the East 900 feet of the S½ of Tract 39, of A.J. BENDLE SUBDIVISION in Section 3, Township 51 South, Range 41 East according to Plat Book 1, page 27 of the Dade County public records; said lands lying and being in Broward County, Florida.

Parcel 12:

Folio Number

514103330050

Legal Description

EAST THIRTY (E. 30') FEET of TRACT 33 lying North of Davie Road Extension, less the North 330 Feet thereof, A. J. BENDLE'S SUBDIVISION, Section 3, Township 51 South, Range 41 East, as recorded in Plat Book 1, Page 27 of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida.

Parcel 13:

Folio Number

504021010550

Legal Description

That portion of the West 80.0 feet of the East Half (E½) of Section 28, Township 50 South, Range 40 East, lying North of the North right of way of South New River Canal (C-11);

AND

The West 65.0 feet of Tracts 57 through 64 inclusive, Florida Fruit Land Company's Plat No. 1, according to the Plat thereof recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida, said lands lying and being in the Southeast Quarter (SE $\frac{1}{4}$) of Section 21, Township 50 South, Range 40 East.

Parcel 14:

Folio Number

504016000220

Legal Description

The North 25.0 feet of the North Half (N $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 16, Township 50 South, Range 40 East.

AND

The West 40.0 feet and the North 25.0 feet of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) LESS the South 2147.99 feet of Section 16, Township 50 South, Range 40 East;

AND

All that external area lying Northwesterly of an arc formed by a 25.0 foot radius, tangent to a line 40.0 feet East of and parallel to the West line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 16 and tangent to a line 25.0 feet South of and parallel to the North line of the said Southeast Quarter (SE $\frac{1}{4}$).

AND

The North 25.0 feet of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 16, Township 50 South, Range 40 East.

Parcel 15:

Folio Number

504133010920

Legal Description

East fifteen feet of Tract Fifty-three (53) according to the Everglades Sugar and Land Co. subdivision of Section Thirty-three (33) Township fifty (50) South, Range Forty-one (41) East, according to plat thereof recorded in plat book 3 page 67, of the public records of Dade County, Florida.

Parcel 16:

Folio Number

504012030013

Legal Description

A parcel of land in the East one-half (E½) of Section 12, Township 50 South, Range 40 East, more particularly described as follows:

Beginning at the Southeast corner of Tract T, REXMERE VILLAGE TWO, Plat Book 78, Page 24, Public Records of Broward County, Florida; Thence North 04°34'26" West 250.80 feet to a point on a line 20 feet West of and parallel with the West right of way line of S. W. 117th Way; Thence North along said parallel line 497.62 feet to a point of curvature; Thence Northwesterly along the arc of a curve to the left having a radius of 25 feet and a central angle of 75°16'14" for an arc distance of 32.84 feet to a point on the southerly right of way line of State Road No. 84, said right of way line being tangent to the curve at the said point; Thence South 75°16'14" East along the said right of way line for a distance of 20.68 feet to a point of curvature; Thence Southeasterly along the arc of a curve to the right having a radius of 25 and a central angle of 75°16'14" for an arc distance of 32.84 feet to a point of tangency, said point lying on the West right of way line of S. W. 117th Ave.; Thence South along the said West right of way line 742.36 feet to the Point of Beginning.

Area = .02935 Acres.

Parcel 17:

Folio Number

504022000020

Legal Description

The East 70.0 feet of the South 330.0 feet of the Northwest Quarter (NW¼) of Section 22, Township 50 South, Range 40 East.

AND

The East 70.0 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East;

AND

The East 70.0 feet of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East.

Parcel 18:

Folio Number

504022000810

Legal Description

The East 70.0 feet of the North 247.50 feet of the South 577.50 feet of the Northwest Quarter (NW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East.

AND

All that portion of the East 70.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 22, Township 50 South, Range 40 East , LESS the South 330.0 feet thereof; AND

The North 50.0 feet of the South 1097.5 feet of the East 1031.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the East 70.0 feet thereof; AND

The North 50.0 feet of the South 602.5 feet of the East 1031.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the East 70.0 feet thereof; AND

The West 50.0 feet of the East 1081.0 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 22, LESS the South 330.0 feet thereof.

Parcel 19:

Folio Number

504021040390

Legal Description

All that portion of Tracts 9 and 10, Section 21, Township 50 South, Range 40 East, according to Florida Fruit Land Company's Plat No. 1, as recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida, lying within 80.0 feet of the West boundary of the East Half (E½) of said Section 21.