#### **RESOLUTION NO. 2020-244**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA TO APPROVE THE SUBMITTAL OF A LETTER FROM THE CITY MANAGER REQUESTING THE CONVEYANCE OF TITLE TO A PORTION OF THE RIGHT-OF-WAY OF NW 15<sup>TH</sup> STREET AND NW 44<sup>TH</sup> AVENUE FROM BROWARD COUNTY TO THE CITY OF COCONUT CREEK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, portions of the right-of-way for NW 15<sup>th</sup> Street (from Lyons Road to NW 44<sup>th</sup> Avenue) and NW 44<sup>th</sup> Avenue (from NW 15<sup>th</sup> Street to Coconut Creek Parkway) on the north and east sides of Coconut Creek High School were deeded to Broward County in 1971 by two separate right-of-way deeds (see Exhibit "A"); and

**WHEREAS,** the City has been maintaining the entirety of these local roads since their construction; and

**WHEREAS**, it is in the best interest of the City that it own the herein described right-of-way to facilitate repairs and necessary maintenance.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

<u>Section 1:</u> That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All Exhibits attached hereto are incorporated herein and made a specific part of this resolution.

Section 2: That the City Manager is authorized and instructed to execute a letter in substantially the form attached hereto as Exhibit "B," requesting the conveyance of title from Broward County to the City of Coconut Creek for a portion of NW 15<sup>th</sup> Street and NW 44<sup>th</sup> Avenue described in the deeds recorded in Official Records Book 4710 at Page 860 and Book 4606 at Page 997 of the Public Records of Broward County, Florida, copies of which are attached hereto and incorporated herein as Exhibit "A."

<u>Section 3:</u> That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 4:** That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this  $3^{rd}$  day of December , 2020.

Louis Sarbone, Mayor

Leslie Wariace May, City Clerk

Sarbone <u>Aye</u>

Rydell Aye

Tooley <u>Aye</u>

Belvedere Aye

Welch Aye

o:\documents\resolutions\2020\cc hs row transfer\res 2020-244 request for conveyance of cc hs right of way to cocc.docx kmm 11/13/2020

10/27/2020 EXHIBIT "A"





Site Address	NW 15 STREET, COCONUT CREEK FL 33066	ID#	4842 29 01 0101
Property Owner	BROWARD COUNTY	Millage	3212
	BOARD OF COUNTY COMMISSIONERS	Use	94
Mailing Address	115 S ANDREWS AVE RM 501-RP FORT LAUDERDALE FL 33301-1801		
Abbr Legal Description	PALM BEACH FARMS CO NO 3 2-45 PB PARCEL IN SW1/4 O OF SEC 30-48-42 INC POR OF TR 26,27,28 BLK 92 & POR TR FEET AND E 40 FEET OF FOLLOWING DESC'D PARCEL:COI SEC 29,N 40.48 TO POB, E 554.46,N 1303.70,W 1320,S 1331. POR IN OR 9075/685	1 BLK 94 MM SW CC	DESC'D AS:N 35 OR OF SW1/4 OF

NW 15 STREET

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

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		202	i values are							to chai	ige.		
					perty As	ssessm	_						
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2020	\$4	43,270					\$	43,270	)		\$43,270		
2019	\$4	43,270					\$43,270						
			2021 Exen	nptions	and Tax	able Va	alues	by Ta	xing Auth	ority			
				County	ounty School I			oard Mun		nicipal Inde		idependen	
Just Valu	ie		\$	43,270			\$43,	270	0 \$43		13,270		
Portability				0				0	0				
Assesse	HOS/b		\$	43,270			\$43,	270	\$4	13,270	\$43,270		
Homestead				0				0	0				
Add. Homestead				0	0 0					(			
Wid/Vet/E	Dis			0	0 0					0			
Senior				0				0		0			
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Taxable				0	0 0				and the same				
		5	Sales Histo	ory					La	and Cal	culations		
Date	9	Type	Price	Во	Book/Page or CIN			Price		Factor		Type	
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					Special /	Assess	men	ts					
Fire	Ga	rb	Light	Drain	l li	mpr	npr Safe		afe Storr		Clean	Misc	
32				CM									
X				CM									
1				1.95									

Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954 Date: 10/27/2020 Page: 003 e Fund Request ID: FL-010-2020-005093 10/27/2020 3:41:51 PM DOC: OR 4606 997 Page 1 of 2 FOLIO 484229010101 sec. 29,30-48-42 OUIT-CLAIM DEED 71 132779 This Quit-Claim Deed, Executed this 24thday of August . A. D. 10 71, by THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA a corporation existing under the laws of Florida and having its principal place of business at 1320 Southwest Fourth Street, Fort Lauderdale, Florida 33312 list party to BROWARD COUNTY, a political subdivision of the State of Florida Courthouse whose postoffice address is Fort Lauderdale, Florida second party: throad began the terms (first parts) and coronal parts) shall include singular and plural, here local above and assent of individuals, and the societies and assents of corporations, whenever the context of requires. Witnesseth, That the said first party for and in consideration of the sum of \$ in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remove re lease and quit-claim unto the said second party forecer, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of BROWARD State of FLORIDA, to wit. ATTACHED DESCRIPTION This territory or property by John U. Lleyd, Councy Automoy 248 Courtnouse, Pt. Landerdale To Have and to Hold the same together with all and singular the appartenances thereunto belanging or in anywise apportaining, and all the estate, right, title, interest, lien, equity and claim what soever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever. In Witness Whereof the said first party has caused these pres to be executed in its name, and its corporate seal to be hereunto affixed. is proper officers thereunto duly authorized, the day and year list above THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA Um moore & Benja authority duly vested in them by said entpopulation and that the real allised thereis WITNESS my hand and official seal in the County and State last afmeraid this Per County Comm. 9/7/71 Engineering Department Return to Minutes

Date: 10/27/2020 Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954

e Fund Page: 004

Request ID: FL-010-2020-005093 10/27/2020 3:41:51 PM DOC: OR 4606 997

Page 2 of 2

School Board of Broward County

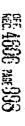
Sec. 29,30-48-42

The North 35.0 feet and the East 40.0 feet of the following described parcel of land in the Southwest Quarter (SW<sub>2</sub>) of Section 29 and the Southeast Quarter (SE<sub>4</sub>) of Section 30, Township 48 south, Range 42 East, including portions of Tracts 26, 27 and 28, Block 92, and a portion of Tract 1 in Block 94, according to the Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Pages 45 through 54, inclusive, Public Records of Palm Beach County, Florida, said parcel being more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW2) of Section 29; thence run North 1019'13" West (on an assumed bearing) 40.48 feet along the West line of said Southwest Quarter (SW2) to an intersection with the North right of way line of Atlantic Boulevard Extension (S.R. 814) and the Point of Beginning; thence run North 88019'31" East 554.46 feet along said North right of way line, to an intersection with a line 1320.0 feet East of and parallel to the West boundary of aforesaid Tracts 27 and 28, Block 92, according to said Palm Beach Farms Company Plat No. 3; thence run due North 1303.70 feet along said parallel line; thence run North 89059'00" West 1320.0 feet along a line parallel to the North boundary of said Tracts 26 and 27, Block 92, to an intersection with said West boundary of Tract 27; thence run due South 1331.75 feet along said West boundary of Tracts 27 and 28 to an intersection with the aforesaid North right of way line of Atlantic Boulevard Extension (S.R. 814); thence run North 8903'31" East /ep.87 feet along said North right of way line of Atlantic Boulevard Extension (S.R. 814); thence run North 8903'31" East /ep.87 feet along said North right or way line to the Poinc of Beginning as described above.

Talk Instrument proping Edg. Fact Court and County Attemby 2008 Courteurs, Buckmal school

RECORDED IN OFFICIAL RECORDS BOOK OF BROWARD COUNTY, FLORIDA JACK WHEELER CLERK OF CIRCUIT COURT



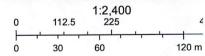


Property Id: 484229010101

## ^^Please see map disclaimer



October 27, 2020



10/27/2020 NW 43 AVENUE



Site Address	NW 43 AVENUE, COCONUT CREEK FL 33066	ID#	4842 29 01 0102
Property Owner	BROWARD COUNTY	Millage	3212
	BOARD OF COUNTY COMMISSIONERS	Use	94
Mailing Address	115 S ANDREWS AVE RM 501-RP FORT LAUDERDALE FL 33301-1801		
Abbr Legal Description	PALM BEACH FARMS CO NO 3 2-45 PB PARCEL IN SW1/4 OF SEC 30-48-42 INC POR TR 26,27,28 BLK 92 DESC AS:COI SEC 29,N 40.48,E 708.77 TO POB, ELY 38.54,N 6.92,NWLY 17 1043.52,W 1320,N 35,E 1360,S 945.85,SELY 175.99, SELY 263 TO POB	MM SW CO 5.99, NWL	OR OF SW1/4 OF Y 123.42,N

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

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		* 2021	values are	conside	ered "working va	alues" a	nd ar	e subject t	o chang	Э.		
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2020 \$60,320						\$60	,320		\$6	0,320		
<b>2019</b> \$60,320						\$60	,320		\$6	0,320		
		2	021 Exem	ptions	and Taxable Va	alues by	/ Tax	ing Autho	rity			
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Date: 10/27/2020 Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954 Page: 005 e Fund Request ID: FL-010-2020-005093 10/27/2020 3:41:51 PM DOC: OR 4710 860 Page 1 of 3 Folio 484229010102 N.W. 43 Avenue Sec.29, 30-48-42 71-195284 QUIT CLAIM DEED THIS INDENTURE Made this 23 day of PARKER, A.D. A. D. Detween KENNETH PARKER SIND FRANCES C. PARKER, his wife; AND 1971. between KENNETH PARKER and FRANCES C. PARKER, his wife; NEIL E. TILLOTSON and LOUISE I, TILLOTSON, bie wife, . ...... of the first part and Broward County, a political subdivision of the State of Florida, as party of the second part WINNESSETH. That the said parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations, paid, receipt of which is hereby acknowledged, do hereby remise, release, cuit claim and convey unto the party of the second part, its successors and assigns for County road nurposes all right, title interest, claim, and demand which the nart LOB of the first part ha VC in and to the intowing described land situate, lying and being in the County of Broward, State of Florida, to-wit: SEE ATTACHED DESCRIPTION =TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, and all the estate, right, title, interest, and claim whatsoever of the said party. of the first part, in law or in equity to the only proper use, benefit, and behoof of the said party. of the successors and assigns forever. Signed, sealed and delivered (SEAL) my the presence of: Physica To Parkers Lattor (SEAL) SANEXBE AS TO TITIOTS ONS STATE COUNTY OF Tillotson FLORIDA BROWARD Before me personally appeared KENNETH PARKER and FRANCES C. PARKER, his wife, and known to be the individua's described in and who executed the foregoing instrument, and acknowledged before me that they executed the same for the purposes therein expressed. WITNESS my hand and official seal this 2 375 . 1971. day of Notary Public in and for the County and State aforesaid. .។បទ.៤.

Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954 Date: 10/27/2020

e Fund Page: 006 Request ID: FL-010-2020-005093 10/27/2020 3:41:51 PM \_\_DOC: OR 4710\_860

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STATE OF MASSACHUSETTS COUNTY OF NORFOLK

Before me personally appeared NEIL E. TILLOTSON and LOUISE I. TILLOTSON, his wife, to me well known and known to be the individuals described in and who executed the foregoing instrument, and acknowledged before me that they executed the same for the purposes therein expressed.

(Noterial Seal)

My commission expires:

My Crimitiston Expired June 7, 1974

other of the <u>s</u>

" Sol the Cucuit Court

**7 1** 

Broward, State of Florida, on

PILED FOR RECORD

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CWIED COUNTY

form No Rd 1

Clerk of the Count Court.

and the record verified

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Date: 10/27/2020 Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954

e Fund Page: 007

Request ID: FL-010-2020-005093 10/27/2020 3:41:51 PM DOC: OR 4710 860



N.W. 43 Avenue Sec.29,30-48-42

A parcel of land in the Southwest Quarter (SW%) of Section 29 and in the Southeast Quarter (SE%) of Section 30, Township 48 South, Range 42 East, including portions of Tracts 26, 27 and 28, Block 92, according to Palm Beach Farms Company Plat No.3, as recorded in Plat Book 2, Pages 45 through 54 inclusive, of the Public Records of Palm Beach County, Florida, described as follows:

the Public Records of Palm Beach County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW4) of Section 29; thence run North 1 19:13" West (on an assumed bearing) 40.48 feet along the West line of said Southwest Quarter (SW4) to an intersection with the North right of way line of Hammondville Road (S.R.814); thence run North 880 19:31" East 708.77 feet to a Point of Curvature of a Circular Curve to the left, having a radius of 25.0 feet, also being the Point of Beginning; thence run Easterly and Northerly along the arc of said curve, a distance of 38.54 feet to a Point of Tangency on a line parallel to and 1498.48 feet East of the West boundary of aforesaid Tracts 27 and 28, Block 92; thence run due North 6.92 feet to a Point of Curvature of a Circular Curve to the left, having a radius of 160.0 feet; thence run Northwesterly along the arc of said curve a distance of 175.99 feet to a Point of Reverse Curvature of a Circular Curve to the right having a radius of 240.0 feet; thence run Northwesterly along the arc of said curve a distance of 123.42 feet to a Point of Intersection with a line 1320.0 feet East of and parallel to the West boundary of aforesaid Tracts 27 and 28; thence run due North 1043.52 feet to a Point; thence run North 89°59'00" West 1320.0 feet along a line parallel to the North boundary of said Tracts 26 and 27 to an intersection with the West boundary of aforesaid Tracts 27; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point; thence run South 89°59'00" East 1360.0 feet to a Point of Tangency; thence run due South 3.09 feet on a Line parallel to and 1578.48 feet East of the West boundary of aforesaid Tracts 27 and 2

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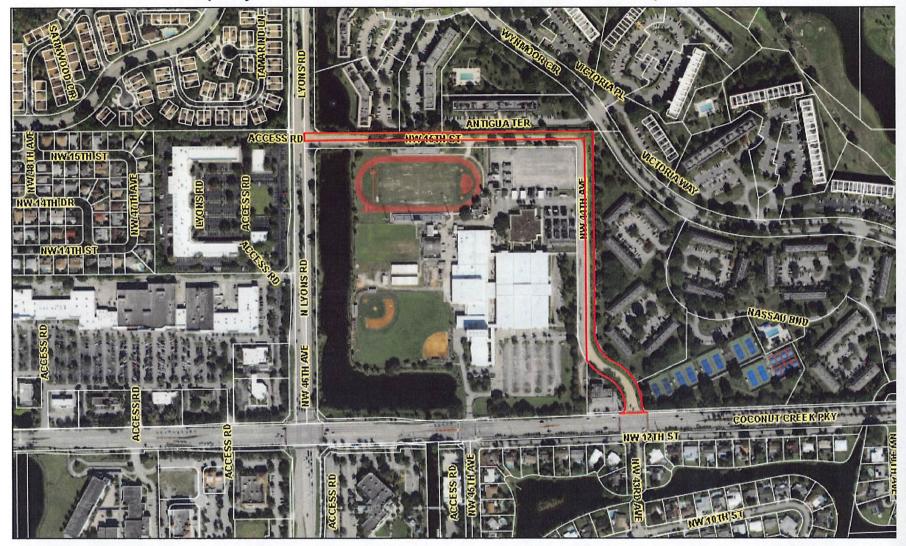
RECORDED IN OFFICIAL RECORDS SOON OF SROWARD COUNTY, FLORIDA JACK WHEELER CLERK OF CIRCUIT COURT

#E4710 mc 862

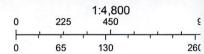


Property Id: 484229010102

^^Please see map disclaimer



October 27, 2020





### **CITY MANAGER'S OFFICE**

4800 WEST COPANS ROAD COCONUT CREEK, FLORIDA 33063



KAREN M. BROOKS CITY MANAGER

### **EXHIBIT "B"**

December 16, 2020

Board of County Commissioners Broward County 115 South Andrews Avenue Fort Lauderdale, FL 33301

Re: Portion of NW 15<sup>th</sup> Street and NW 44<sup>th</sup> Avenue, Coconut Creek, Florida Folio # 484229010101 and #484229010102

**Dear County Commissioners:** 

It has recently come to the attention of the City of Coconut Creek that the portions of NW 15<sup>th</sup> Street and NW 44<sup>th</sup> Avenue adjacent to Coconut Creek High School described above and as set forth in further detail in the Exhibits attached hereto, are currently owned by Broward County. The property was deeded to Broward County by deeds dated August 24, 1971 and November 23, 1971.

These are both local roads and have been maintained continuously by the City for almost fifty years. The City is requesting a conveyance of the right of way owned by the County so that repairs and maintenance can continue to be made to these streets by the City.

The purpose of this letter is to advise that on December 3, 2020, the Coconut Creek City Commission approved this request for the conveyance of the referenced parcels from the County to the City by Resolution No. 2020-244 in accordance with Florida Statute 335.0415.

Thank you in advance for your assistance with this matter.

Sincerely,

Karen M. Brooks City Manager

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