

Item # 8

Replacement Exhibits 1 & 2
Line Numbering Added

ADDITIONAL MATERIAL

Regular Meeting

OCTOBER 20, 2020

SUBMITTED AT THE REQUEST OF

PUBLIC WORKS
DEPARTMENT

RESOLUTION NO. 2020-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 ACCEPTING AN EASEMENT RELATED TO THE PROVISION
5 OF WATER AND WASTEWATER SERVICES, IN, OVER,
6 UNDER, THROUGH, UPON, AND ACROSS A PORTION OF
7 REAL PROPERTY LOCATED IN THE CITY OF DANIA
8 BEACH, FLORIDA; AND PROVIDING FOR SEVERABILITY
9 AND AN EFFECTIVE DATE.

10 WHEREAS, MSG Marina Mile LLC ("Grantor") is the owner of certain property in
11 the City of Dania Beach ("Property"), which Property is more particularly described in
12 the legal description and sketch made subject to the Easement agreement in
13 Attachment 1;

14 WHEREAS, Broward County ("County") requested from Grantor an unrestricted
15 and perpetual non-exclusive easement, in, over, under, through, upon, and across a
16 portion of the Property to construct, maintain, repair, install, and rebuild thereon water
17 mains, wastewater gravity mains, wastewater force mains, reclaimed water mains,
18 and/or any other water and wastewater facilities, for purposes of providing water supply
19 service for domestic uses and collecting domestic or other kinds of wastewater to and
20 from the Property ("Easement");

21 WHEREAS, Grantor is willing to grant an Easement to the County as provided in
22 the Easement agreement in Attachment 1; and
23
24

1 WHEREAS, the Board of County Commissioners of Broward County, Florida
2 (“Board”), has determined that acceptance of the Easement agreement serves a public
3 purpose and is in the best interest of the County, NOW, THEREFORE,
4

5 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
6 BROWARD COUNTY, FLORIDA:
7

8 Section 1. The recitals set forth in the preamble to this Resolution are true,
9 accurate, and incorporated by reference herein as though set forth in full hereunder.
10

11 Section 2. The Board hereby accepts the Easement agreement attached to
12 this Resolution as Attachment 1.
13

14 Section 3. The Easement agreement in Attachment 1 shall be properly
15 recorded in the Public Records of Broward County, Florida.
16

17 Section 4. Severability.

18 If any portion of this Resolution is determined by any court to be invalid, the
19 invalid portion will be stricken, and such striking will not affect the validity of the
20 remainder of this Resolution. If any court determines that this Resolution, in whole or in
21 part, cannot be legally applied to any individual, group, entity, property, or circumstance,
22 such determination will not affect the applicability of this Resolution to any other
23 individual, group, entity, property, or circumstance.
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Section 5. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this _____ day of _____, 2020.

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Christina A. Blythe 04/08/2020
Christina A. Blythe (Date)
Assistant County Attorney

By /s/ Annika E. Ashton 04/08/2020
Annika E. Ashton (Date)
Deputy County Attorney

CAB/mdw
Resolution Accepting Easement – MSG Marina Mile LLC
04/08/2020
#493039

RESOLUTION NO. 2020-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 ACCEPTING AN EASEMENT RELATED TO THE PROVISION
5 OF WATER AND WASTEWATER SERVICES, IN, OVER,
6 UNDER, THROUGH, UPON, AND ACROSS A PORTION OF
7 REAL PROPERTY LOCATED IN THE CITY OF DANIA
8 BEACH, FLORIDA; AND PROVIDING FOR SEVERABILITY
9 AND AN EFFECTIVE DATE.

10
11 WHEREAS, MSG I-595 LLC ("Grantor") is the owner of certain property in the
12 City of Dania Beach ("Property"), which Property is more particularly described in the
13 legal description and sketch made subject to the Easement agreement in Attachment 1;
14

15 WHEREAS, Broward County ("County") requested from Grantor, an unrestricted
16 and perpetual non-exclusive easement, in, over, under, through, upon, and across a
17 portion of the Property to construct, maintain, repair, install, and rebuild thereon water
18 mains, wastewater gravity mains, wastewater force mains, reclaimed water mains,
19 and/or any other water and wastewater facilities, for purposes of providing water supply
20 service for domestic uses and collecting domestic or other kinds of wastewater to and
21 from the Property ("Easement");

22 WHEREAS, Grantor is willing to grant an Easement to the County as provided in
23 the Easement agreement in Attachment 1; and

24 WHEREAS, the Board of County Commissioners of Broward County, Florida
("Board"), has determined that acceptance of the Easement agreement serves a public
purpose and is in the best interest of the County, NOW, THEREFORE,

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BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. The recitals set forth in the preamble to this Resolution are true, accurate, and incorporated by reference herein as though set forth in full hereunder.

Section 2. The Board hereby accepts the Easement agreement attached to this Resolution as Attachment 1.

Section 3. The Easement agreement in Attachment 1 shall be properly recorded in the Public Records of Broward County, Florida.

Section 4. Severability.

If any portion of this Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Resolution. If any court determines that this Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

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Andrew J. Meyers, County Attorney

By /s/ Christina A. Blythe 04/08/2020
Christina A. Blythe (Date)
Assistant County Attorney

By /s/ Annika E. Ashton 04/08/2020
Annika E. Ashton (Date)
Deputy County Attorney

CAB/mdw
Resolution Accepting Easement – MSG I-595 LLC
04/08/2020
#493039