1	RESOLUTION NO. 2020-
2	
3	A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4	ACCEPTING A QUITCLAIM DEED FROM THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR
5	CERTAIN REAL PROPERTY LOCATED IN THE CITY OF HOLLYWOOD; APPROVING AND AUTHORIZING
6	THE CONVEYANCE OF CERTAIN COUNTY-OWNED REAL PROPERTY TO THE STATE OF FLORIDA, DEPARTMENT
7	OF TRANSPORTATION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.
8	
9	WHEREAS, Section 337.25(4)(b), Florida Statutes, permits the State of Florida,
10	Department of Transportation ("FDOT") to convey surplus real property to a governmental
11	entity without consideration, if such property is to be used for a public purpose;
12	
13	WHEREAS, Broward County, a political subdivision of the State of Florida
14	("County") owns and operates the Fort Lauderdale-Hollywood International Airport
15	("Airport") located in the City of Hollywood;
16	
17	WHEREAS, the property ("Hollywood Property") legally described in the quitclaim
18	deed executed by FDOT ("Public Purpose Quitclaim Deed") which is attached hereto and
19	made part hereof as Attachment A is located within the approach and transition zone for
20	Runway 9R/27L at the Airport;
21	
22	WHEREAS, acquisition by the County of the Hollywood Property is necessary for,
23	and would serve the public purpose of, protecting the approach and transition zone for
24	Runway 9R/27L at the Airport;

WHEREAS, on June 19, 2001, the Board of County Commissioners of Broward
County, Florida ("Board"), adopted Resolution No. 2001-515, accepting a quitclaim deed
from FDOT ("2001 Quitclaim Deed") pursuant to Section 337.25(4), Florida Statutes,
conveying certain real property ("2001 Property") located in the City of Hollywood, which
2001 Property is more particularly described in the legal description and sketch made
subject to the 2001 Quitclaim Deed, which is attached hereto and made a part hereof as
Attachment B;

9 WHEREAS, FDOT had intended to convey the Hollywood Property to County10 when it erroneously conveyed the 2001 Property to County;

11

8

WHEREAS, in order to correct the erroneous conveyance of the 2001 Property to
County the Board desires to authorize the conveyance of the 2001 Property to FDOT and
approve a quitclaim deed ("County Quitclaim Deed"), which is attached hereto and made
part hereof as Attachment C, conveying the 2001 Property to FDOT and accept the Public
Purpose Quitclaim Deed from FDOT conveying the Hollywood Property, NOW,
THEREFORE,

18

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

21

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.

24

Section 2. Application is hereby made to FDOT for the conveyance of the
 Hollywood Property, at no cost to the County, for the public purpose of protecting the
 approach and transition zone for Runway 9R/27L at the Airport, which conveyance shall
 be subject to an easement to be retained by FDOT for purposes of draining.

6 Section 3. The Board authorizes acceptance of the Public Purpose Quitclaim7 Deed by the County from FDOT, substantially in the form of Attachment A.

9 Section 4. The Board authorizes the Mayor or Vice-Mayor to execute the
10 County Quitclaim Deed, in the form of the attached Attachment C, and the County
11 Administrator to attest to its execution.

12

5

8

13 Section 5. The Public Purpose Quitclaim Deed and County Quitclaim Deed14 shall be properly recorded in the Public Records of Broward County, Florida.

15

16 Section 6. <u>Severability</u>.

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.

23 24

3

1	Section 7. Effective Date.
2	This Resolution is effective upon adoption.
3	
4	ADOPTED this day of, 2020.
5	
6	Approved as to form and legal sufficiency:
7	Andrew J. Meyers, County Attorney
8	By /s/ Christina A. Blythe 11/12/2020
9	Christina A. Blythe (Date) Assistant County Attorney
10	
11	By /s/ Annika E. Ashton 11/12/2020
12	Annika E. Ashton (Date) Deputy County Attorney
13	
14	
15	
16	
17	
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20	
21	
22	
23	
24	CAB/mdw Transfer of Parcel -FDOT 11/12/2020 540759

#### Attachment A

Prepared under the supervision of: Elizabeth Quintana, Esq. Legal description prepared by: Jeffrey D. Smith, PSM Department of Transportation 3400 West Commercial Boulevard Ft. Lauderdale, FL 33309

 Parcel No.:
 131

 Item/Segment No.:
 (part)

 Section No.:
 231559-1

 Managing District:
 86095 

 S.R. No.:
 2408 Four

 County:
 862(1 

#### PUBLIC PURPOSE QUITCLAIM DEED

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_,20\_\_ by and between the STATE OF FLORIDA, by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, as the Part of the First Part and <u>BROWARD</u> <u>COUNTY, FLORIDA</u>, whose address is: <u>Governmental Center</u>, <u>115</u> South Andrews Avenue, Fort Lauderdale, Florida 33301-1801, the party of the Second Part.

#### WITNESSETH

WHEREAS, the hereinafter described property held by the Department of Transportation is no longer used or needed and the Secretary of the Department on <u>July 14, 1998</u>, has approved conveyance to the Grantee without consideration, to be used solely for public purposes, pursuant to the provisions of Section 337.25(4), Florida Statutes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party (Parties) of the Second part, and assigns, forever, all the right, title and interest of the State of Florida and/or the State of Florida Department of Transportation to the property described on Exhibit "A", attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Party (Parties) of the Second Part.

If the property herein conveyed ceases to be used for a public purpose, title shall revert to the **State of Florida Department of Transportation**.

THIS CONVEYANCE IS made subject to any unpaid taxes, assessments, liens, or encumbrances of any nature whatsoever which the Party (Parties) of the Second Part hereunder and herein assumes.

THAT EXISTING utilities remain in place and in use with no expense to the utility owner and subject to any easement of record.

SUBJECT also, to a RESERVATION by the Department of an easement for drainage, with appurtenant rights, including rights of ingress and egress for maintenance. The Parties agree that any maintenance of the drainage shall be provided by the State of Florida Department of Transportation. Broward County shall not cause any work or construction on the property that would modify the existing drainage area until the State of Florida Department of Transportation has been notified and has given prior written approval to such alteration to the drainage outfall. It is understood that the State of Florida Department of Transportation's intention is to maintain positive drainage at all times in this area. If Broward County's desired use of the subject property becomes incompatible with the State of Florida Department of Transportation's maintenance of positive drainage on the property, then Broward County may, at its expense, provide an alternate area for such purpose to the State of Florida Department of Transportation.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District

Exhibit 1 Page 6 of 22

Secretary, District IV and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

Signed, sealed and delivered in our presence as witnesses:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:

Print Name:\_\_\_\_\_

Name: <u>Gerry O'Reilly, P.E.</u> District Four Secretary

Attest:\_\_\_\_\_

Print Name:\_\_\_\_\_

Name: Alia E. Channel Executive Secretary

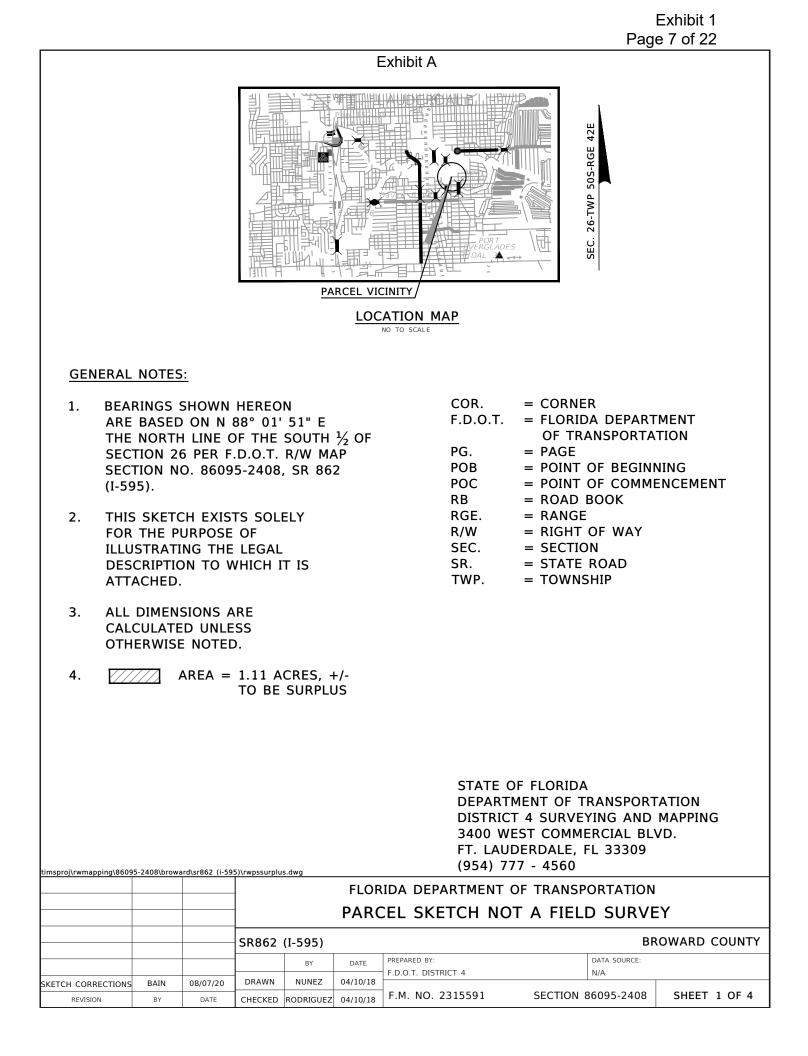
STATE OF FLORIDA

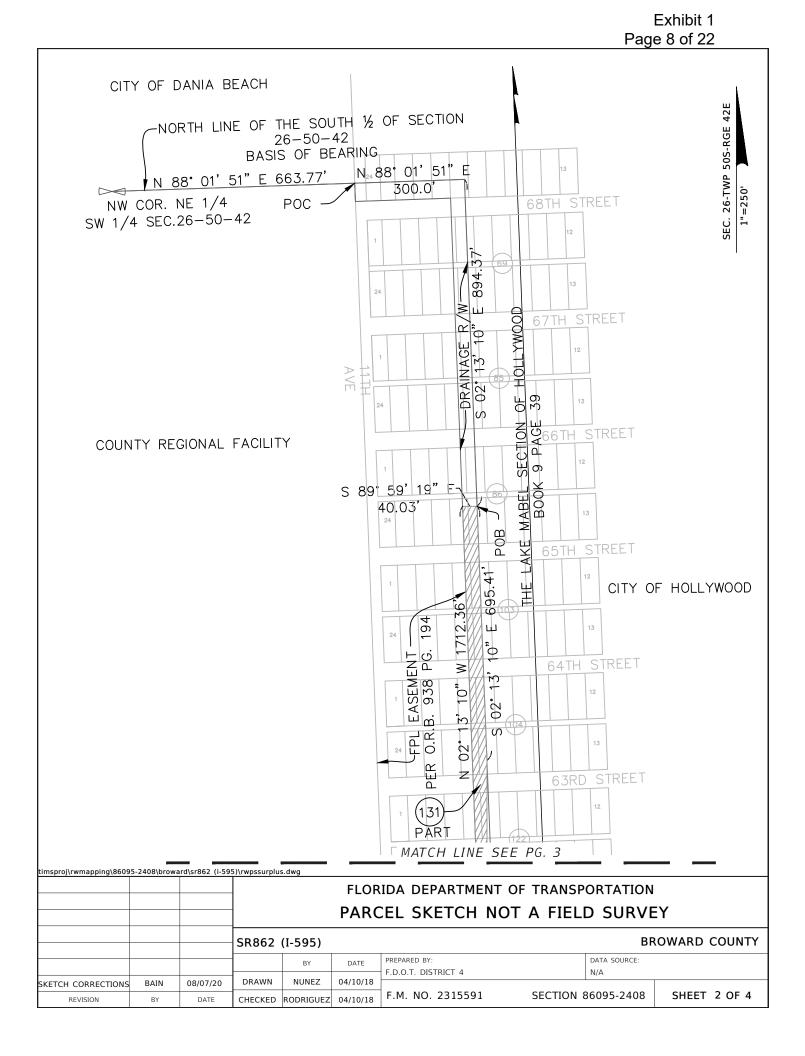
COUNTY OF BROWARD

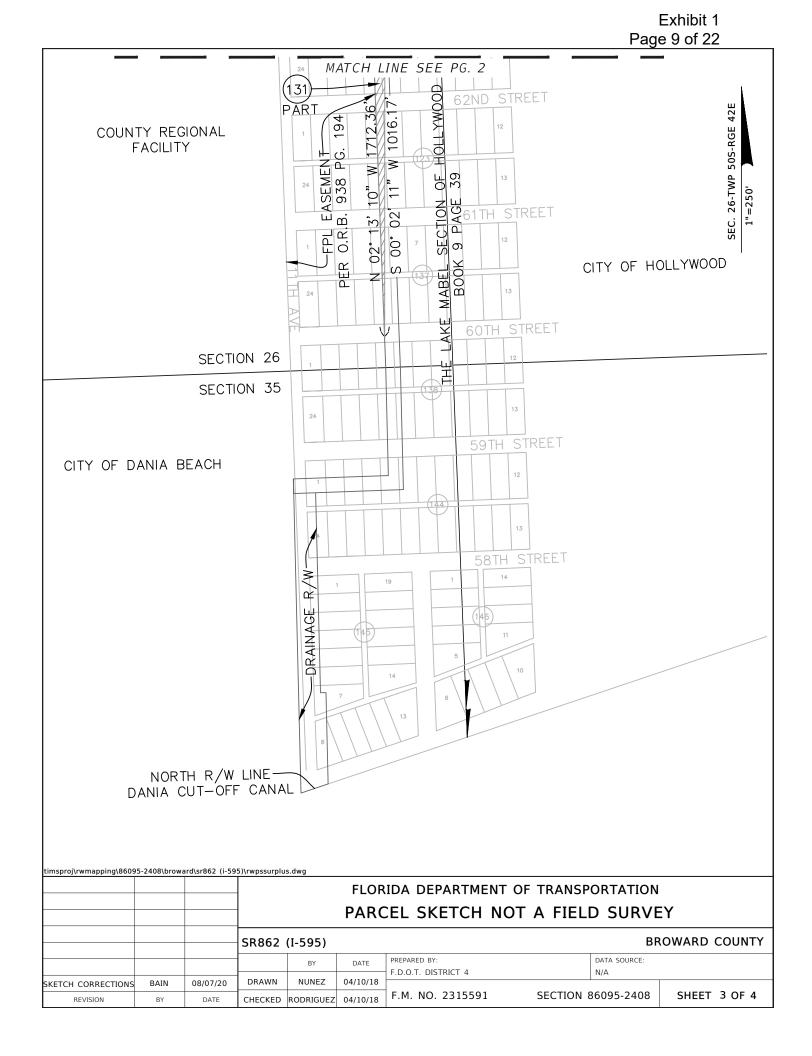
The foregoing instrument was acknowledged before me by means of \_\_\_\_\_physical presence or \_\_\_\_online notarization, this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_, by Gerry O'Reilly, P.E., District Four Secretary, who is personally known by me or who has produced \_\_\_\_\_\_as identification.

(NOTARIAL SEAL)

Print name:\_\_\_\_\_\_ Notary Public in and for the County and State last aforesaid. My Commission Expires:\_\_\_\_\_







#### LEGAL DESCRIPTION

PARCEL 131 (PART)

A PORTION OF LAND IN BLOCKS 86, 103, 104, 122, 123, AND 137 AND THE STREETS AND ALLEYS OF THE LAKE MABEL SECTION OF HOLLYWOOD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 39 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** ON THE NORTH LINE OF THE SOUTH 1/2 OF SECTION 26, TOWNSHIP 50 SOUTH, RANGE 42 EAST AT A POINT NORTH 88° 01' 51" EAST 663.77 FEET FROM THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE, CONTINUE NORTH 88° 01' 51" EAST ALONG THE SAID NORTH LINE, A DISTANCE OF 300.00 FEET; THENCE, SOUTH 2° 13' 10" EAST, A DISTANCE OF 894.37 FEET TO THE **POINT OF BEGINNING**;

THENCE, CONTINUE SOUTH 2° 13' 10" EAST, A DISTANCE OF 695.41 FEET; THENCE, SOUTH 0° 02' 11" WEST, A DISTANCE OF 1016.17 FEET; THENCE, NORTH 2° 13' 10" WEST, A DISTANCE OF 1712.36 FEET; THENCE, SOUTH 89° 59' 19" EAST, A DISTANCE OF 40.03 FEET TO THE **POINT OF BEGINNING.** 

CONTAINING 1.11 ACRES MORE OR LESS.

I hereby certify that the sketch and legal description was prepared under my direction and that said sketch and legal description is in compliance with Chapter Bitz, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes

Jeffrey D. Smith Date Florida Professional Surveyor and Mapper No. 4805 Florida Department of Transportation.



This sketch and legal description or copies thereof is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

timsproj\rwmapping\surpl	us\broward	\sr862 (i-595)\	8605-2408\rw	pssurplus.dwg					
					FLOP	IDA DEPARTMENT	OF TRANSF	ORTATION	
					PARC	CEL SKETCH NO	OT A FIEL	D SURVE	Y
			SR862	(I-595)				BR	OWARD COUNTY
			-	• ВУ	DATE	PREPARED BY: F.D.O.T. DISTRICT 4		DATA SOURCE:	
SKETCH CORRECTIONS	BAIN	AIN 08/07/20	DRAWN	NUNEZ	04/10/18	P.D.O.T. DISTRICT 4		IV/A	
REVISION	BY	DATE	CHECKED	RODRIGUEZ	04/10/18	F.M. NO. 2315591	SECTION	86095-2408	SHEET 4 OF 4



# 

04-QCD.17-06/93

Prepared under the supervision of:

amie C. Laurice C. Mayes, Esquire Legal description prepared by: Steven M. Watts Williams, Hatfield and Stoner, Inc. 2101 North Andrews Avenue, Suite 300

Fort Lauderdale, Florida 33311

#### INSTR # 101115732 OR BK 31740 PG 0431 RECORDED 06/20/2001 01:23 PM COMMISSION BROWARD COUNTY DEPUTY CLERK 2000

Parcel No.: 131 (part) Item/Segment No.: 231559-1 Section No.: 86095-2408 Managing District: Four S.R. No.: 862 (I-595) County: Broward

# PUBLIC PURPOSE QUITCLAIM DEED

THIS INDENTURE, made this day of <u>MAN</u> OF FLORIDA DEPARTMENT OF TRANSPORTATION, as the Party of the First Part and <u>BROWARD COUNTY</u>, FLORIDA, whose address is: <u>% Governmental</u> <u>Center</u>, <u>115 South Andrews Avenue</u>, Fort Lauderdale, Florida <u>33301-1801</u>, the party of the Second Part the party of the Second Part.

WITNESSETH

WHEREAS, the hereinafter described property held by the Department of Transportation is no longer used or needed and the Secretary of the Department on July 14, 1998, has approved conveyance to the Grantee without consideration, to be used solely for public purposes, pursuant to the provisions of Section 337.25(4), Florida Statutes.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Party of the First Part does hereby remise, release and quitclaim unto the Party (Parties) of the Second part, and assigns, forever, all the right, title and interest of the State of Florida and/or the State of Florida Department of Transportation to the property described on Exhibit "A", attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises and the appurtenances thereof unto the Party (Parties) of the Second Part.

If the property herein conveyed ceases to be used for a public purpose, title shall revert to the State of Florida Department of Transportation.

THIS CONVEYANCE IS made subject to any unpaid taxes, assessments, liens, or encumbrances of any nature whatsoever which the Party (Parties) of the Second Part hereunder and herein assumes.

THAT EXISTING utilities remain in place and in use with no expense to the utility owner and subject to any easement of record.

SUBJECT also, to a RESERVATION by the Department of an easement for drainage, with appurtenant rights, including rights of ingress and egress for maintenance. The Parties agree that any maintenance of the drainage shall be provided by the State of Florida Department of Transportation. Broward County shall not cause any work or construction on the property that would modify the existing drainage area until the State of Florida Department of Transportation has been notified and has given prior written approval to such alteration to the drainage outfall. It is understood that the State of Florida Department of Transportation's intention is to maintain positive drainage at all times in this area. If Broward County's desired use of the subject property becomes incompatible with the State of Florida Department of Transportation's maintenance of positive drainage on the

Approved BCC 61901 #4 Submitted By ANIATION Dept. RETURN TO DOCUMENT CONTROL

#### OR BK 31740 PG 0432

property, then Broward County may, at its expense, provide an alternate area for such purpose to the State of Florida Department of Transportation.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District Secretary, District IV and its seal to be hereunto affixed, attested by its Executive Secretary, on the date first above written.

Signed, sealed and delivered in our presence as witnesses:

Nicole VonBahon

Print Name: Nicole Von Behren

Therese Burke

Print Name: THERESA BURKE

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

. Chino By:

Name: <u>MARIA GUTIERRESTA</u>

STATE OF FLORIDA ) COUNTY OF BROWARD )

BEFORE ME, the undersigned authority, this day personally appeared, <u>RICK CHESSER</u>, District Secretary, District IV and <u>MARIA GUTIERREZ</u>, Executive Secretary of the State of Florida Department of Transportation, respectively, to me known to be the persons described in and who executed the foregoing instrument, and they severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they affixed thereto the official seal of said State of Florida Department of Transportation, and the said instrument is the act and deed of said Department.

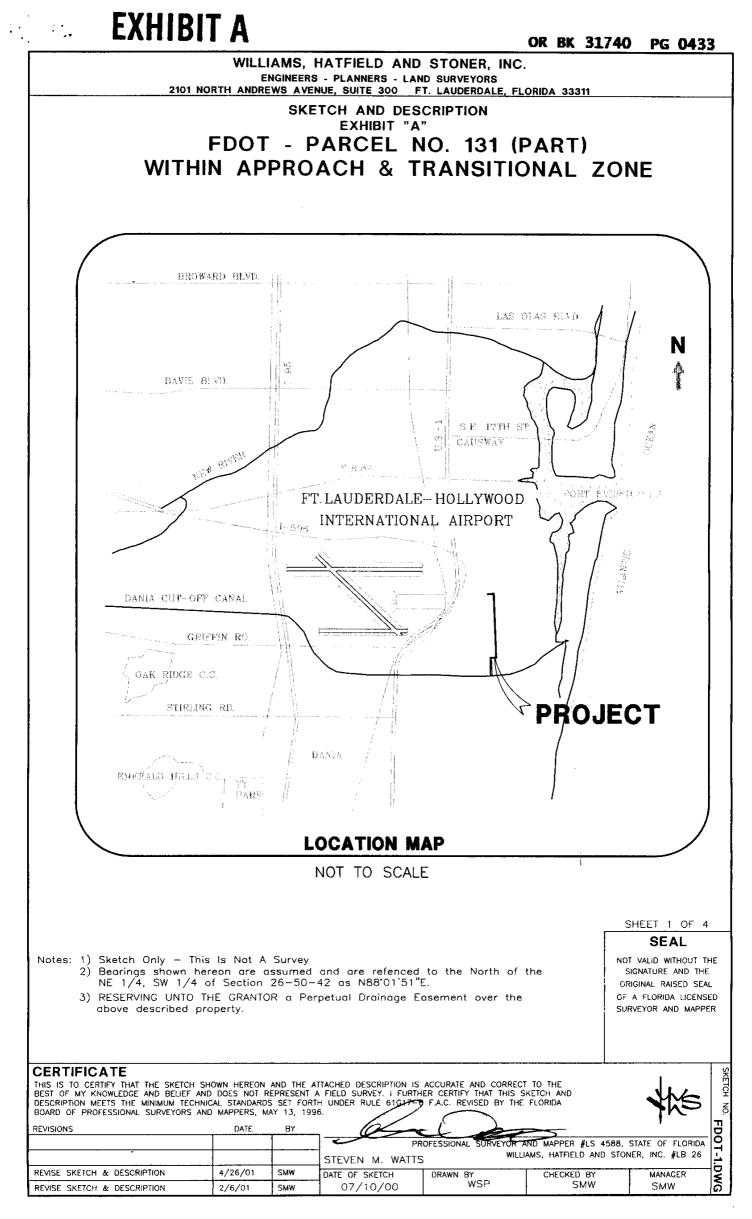
WITNESS my hand and official seal, this  $18^{++-}$  day of may \_\_\_\_\_, <u>19.900</u>]

(NOTARIAL SEAL)

BETH A. WELCH MY COMMISSION # CC 903906 EXPIRES: March 10, 2004 Print Name: Beth A. Welc

Notary Public in and for the County and State last aforesaid. My Commission Expires: March 10, 2004

Exhibit 1 Page 13 of 22



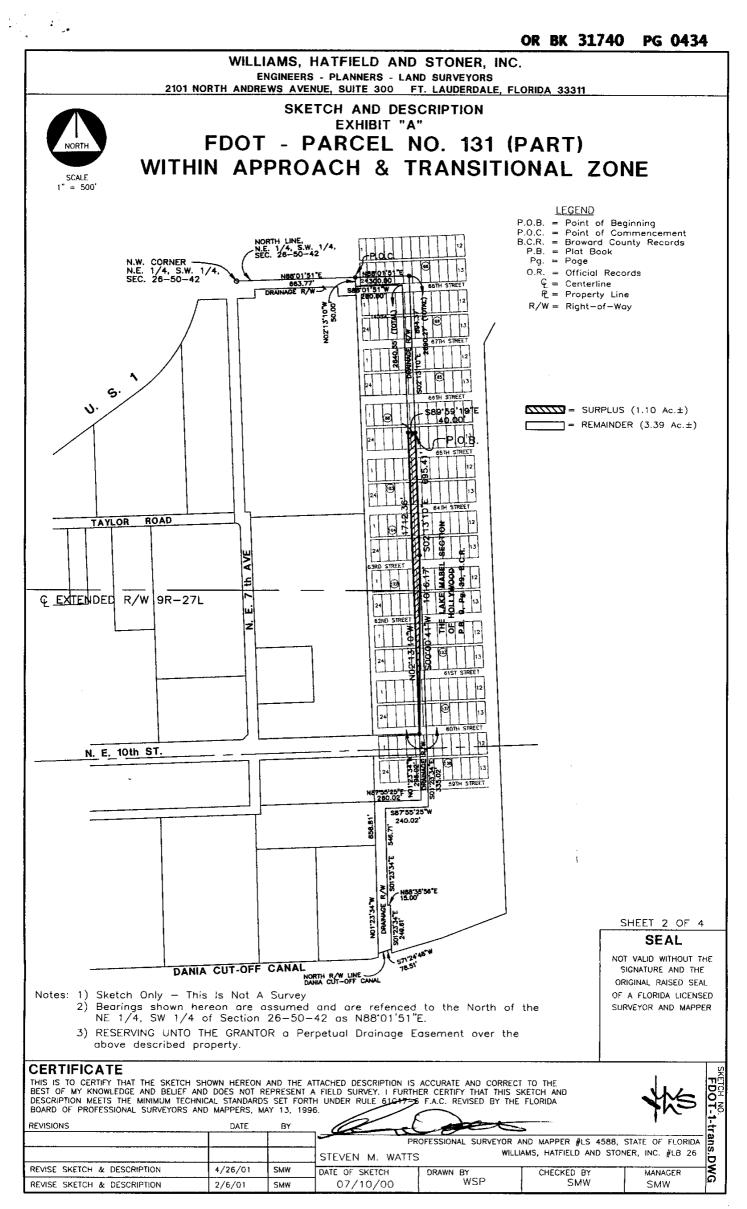
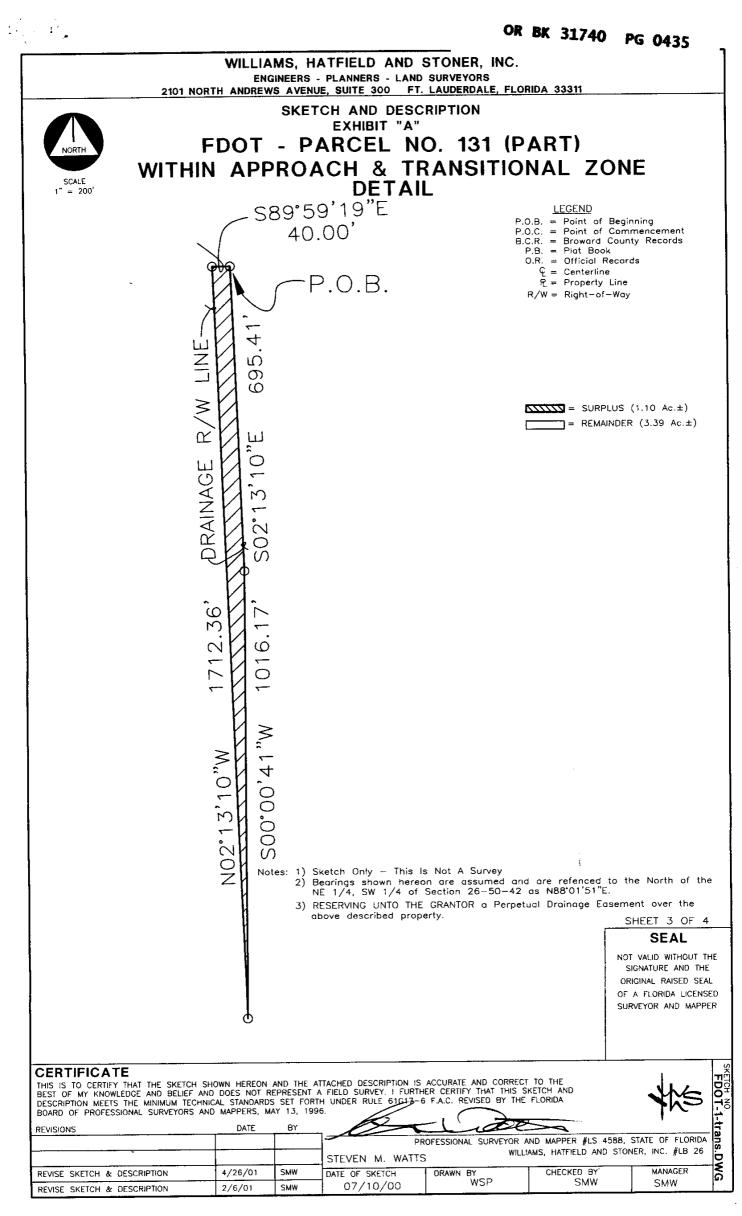


Exhibit 1 Page 15 of 22



OR BK 31740 PG 0436

WILLIAMS, HATFIELD AND STONER, INC.	
ENGINEERS - PLANNERS - LAND SURVEYORS 2101 North Andrews Avenue, suite 300 ft. Lauderdale, florida 33311	
EXHIBIT "A"	
FDOT – PARCEL NO. 131 NORTH PART	·
A portion of Blocks 68, 69, 85, 86, 103, 104, 122, 123, 137, 138, 144 and the streets and alleys of THE LAKE MABEL SECTION OF HOLLYWOOD, according to the plat thereof, recorded in Plat Book 9, Page 39 of the Public Records of Broward County, Florida; being described as follows:	
BEGIN on the North line of the South One-Quarter (S ¼) of Section 26, Township 50 South, Range 42 East, at a point N 88°01'51" E, a distance of 663.77 feet from the Northwest corner of the Northeast One-Quarter (NE ¼) of the Southwest One-Quarter (SW ¼) of said Section 26;	
THENCE continue N 88°01'51" E a distance of 300.00 feet;	
THENCE S 2°13'10" E a distance of 2,690.27 feet;	
THENCE S 1°23'34" E a distance of 335.02 feet;	
THENCE S 87°55'25" W a distance of 300.02 feet;	
THENCE N 1°23'34" W a distance of 40.00 feet;	
THENCE N 87°55'25" E a distance of 260.02 feet;	
THENCE N 1°23'34" W a distance of 295.02 feet;	
THENCE N 2°13'10" W a distance of 2,640.35 feet;	
THENCE S 88°01'51" W a distance of 260.00 feet;	
THENCE N 2°13'10" W a distance of 50.00 feet to the POINT OF BEGINNING.	
Said land situate within Broward County, Florida.	
RESERVING UNTO THE GRANTOR a Perpetual Drainage Easement over the above described property.	
ĩ	
	SKETCH

REVISIONS

DATE

BY

SURVEY DATE

Attachment C

Return recorded copy to: Real Property Section 115 South Andrews Avenue, Room 501 Fort Lauderdale, FL 33301

This document prepared by and approved as to form by: Christina A. Blythe Broward County Attorney's Office 115 South Andrews Avenue, Room 423 Fort Lauderdale, FL 33301

Folio: 5042 25 03 0192

#### QUITCLAIM DEED

(Pursuant to Section 125.41, Florida Statutes)

THIS QUITCLAIM DEED, made this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_ by **BROWARD COUNTY, a political subdivision of the State of Florida** ("Grantor"), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and the **STATE OF FLORIDA, by and through the STATE DEPARTMENT OF TRANSPORTATION** ("Grantee"), whose address is 2101 North Andrews Avenue, Fort Lauderdale, Florida 33311.

(The terms "Grantor" and "Grantee" as used herein shall refer to the respective parties, and the heirs, personal representatives, successors, and assigns of such parties.)

#### WITNESSETH:

That Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto Grantee, its successors and assigns, forever, all of Grantor's rights, title, and interest, if any, in and to the following described lands, lying and being in Broward County, Florida, ("Property") to wit:

See Exhibit A, attached hereto and made a part hereof.

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit, and behalf of the said Grantee forever.

**THIS CONVEYANCE IS SUBJECT TO** all zoning rules, regulations, and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Property conveyed herein; existing public purpose utility and government easements and rights of way and other matters of record; and real estate taxes for this year 20\_\_and all subsequent years.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

### GRANTOR

BROWARD COUNTY, by and through its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

ATTEST:

Mayor By: \_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 2020

Approved as to form by Andrew J. Meyers **Broward County Attorney** Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, Florida 33301 Telephone: (954) 357-7600 Telecopier: (954) 357-7641

By: \_\_\_

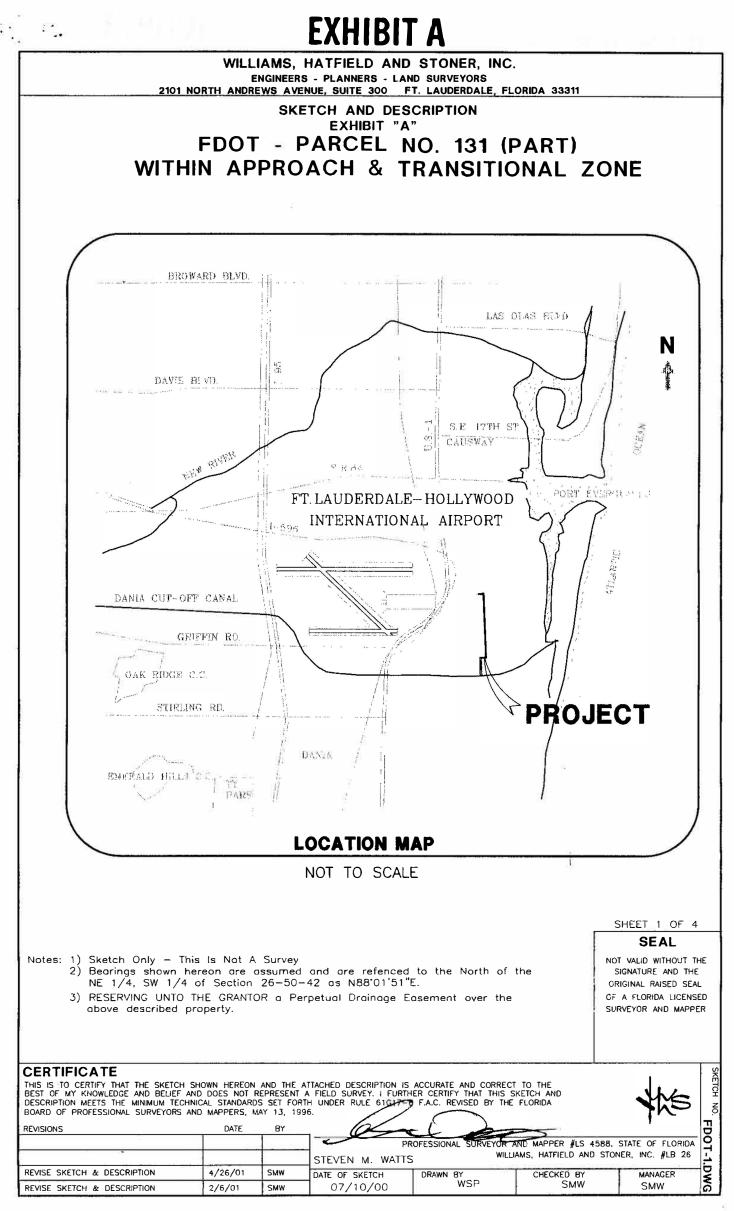
Christina A. Blythe (Date) Assistant County Attorney

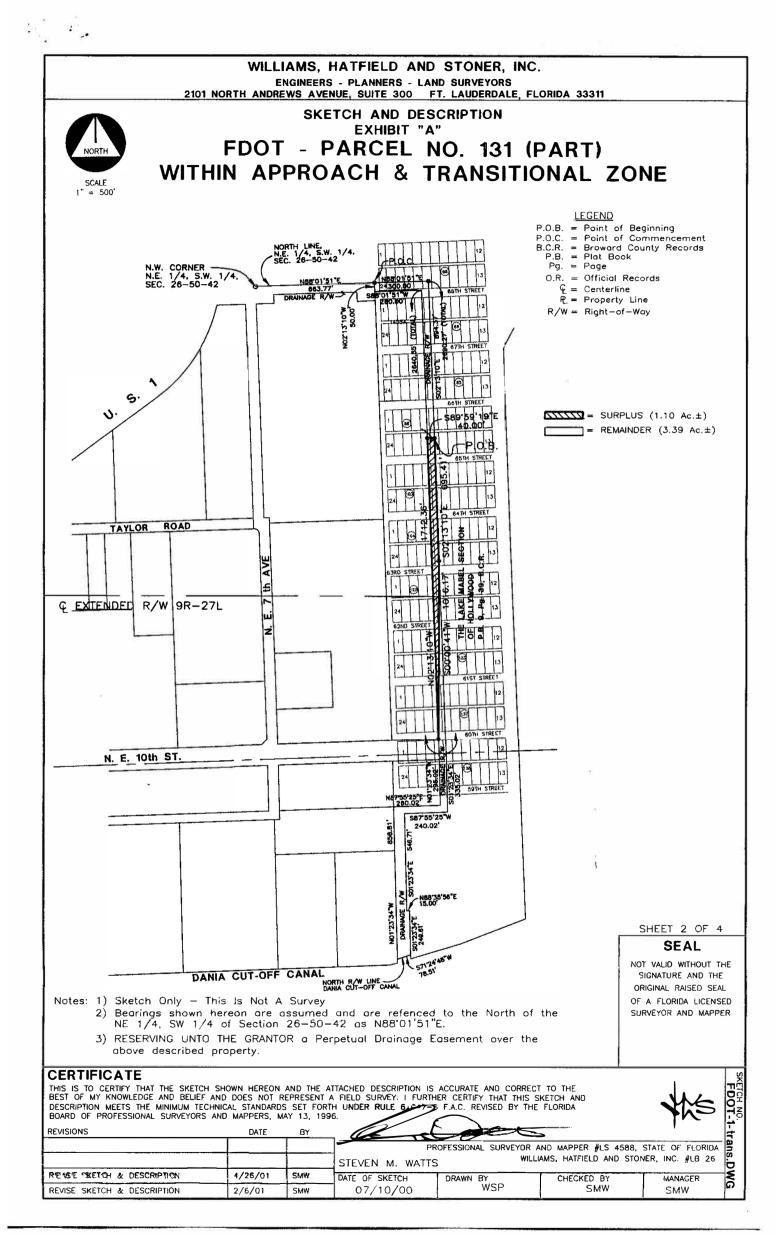
By: \_\_\_

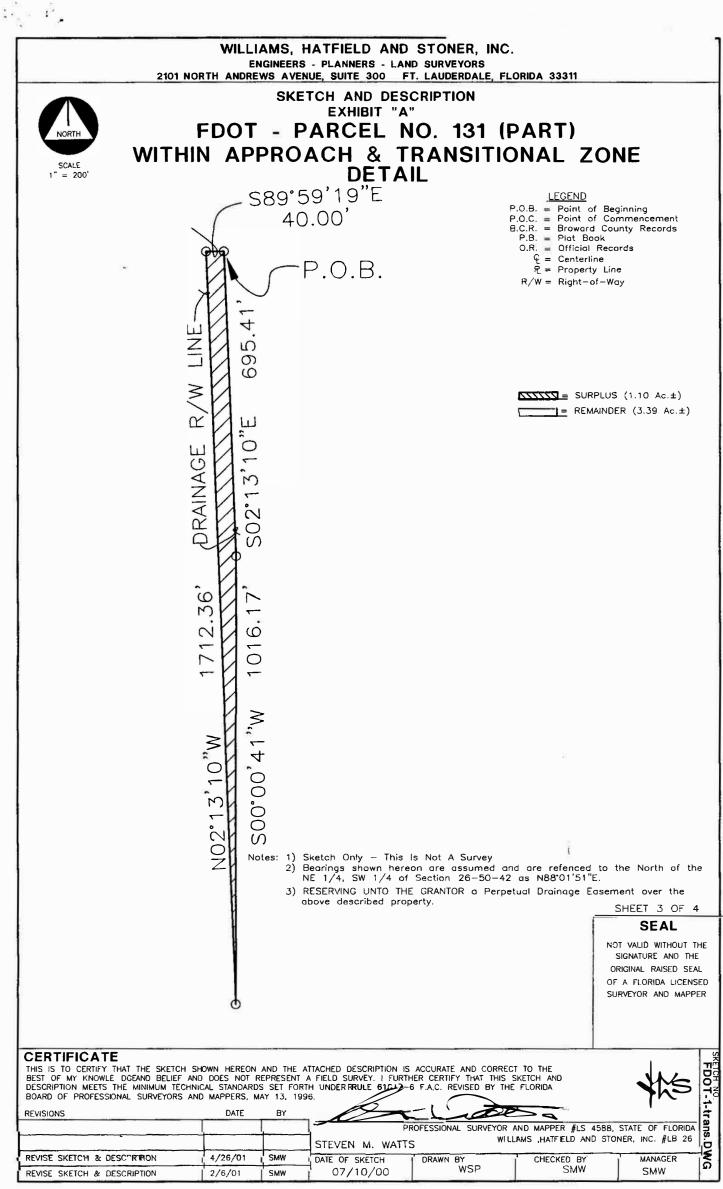
Annika E. Ashton (Date) **Deputy County Attorney** 

REF: Approved BCC \_\_\_\_\_ Item No: \_\_\_\_\_ Return to BC Real Property Section

CAB/mdw QCD - Transfer to FDOT







## WILLIAMS, HATFIELD AND STONER, INC. ENGINEERS - PLANNERS - LAND SURVEYORS 2101 NORTH ANDREWS AVENUE, SUITE SOO FT. LAUDERDALE, FLORIDA 33311 EXHIBIT "A"

#### FDOT – PARCEL NO. 131 NORTH PART

A portion of Blocks 68, 69, 85, 86, 103, 104, 122, 123, 137, 138, 144 and the streets and alleys of THE LAKE MABEL SECTION OF HOLLYWOOD, according to the plat thereof, recorded in Plat Book 9, Page 39 of the Public Records of Broward County, Florida; being described as follows:

BEGIN on the North line of the South One-Quarter (S  $\frac{1}{4}$ ) of Section 26, Township 50 South, Range 42 East, at a point N 88°01'51" E, a distance of 663.77 feet from the Northwest corner of the Northeast One-Quarter (NE  $\frac{1}{4}$ ) of the Southwest One-Quarter (SW  $\frac{1}{4}$ ) of said Section 26;

THENCE continue N 88°01'51" E a distance of 300.00 feet;

THENCE S 2º13'10" E a distance of 2,690.27 feet;

THENCE S 1°23'34" E a distance of 335.02 feet;

THENCE S 87°55'25" W a distance of 300.02 feet;

THENCE N 1°23'34" W a distance of 40.00 feet;

THENCE N 87°55'25" E a distance of 260.02 feet;

THENCE N 1°23'34" W a distance of 295.02 feet;

THENCE N 2°13'10" W a distance of 2,640.35 feet;

THENCE S 88°01'51" W a distance of 260.00 feet;

THENCE N 2°13'10" W a distance of 50.00 feet to the POINT OF BEGINNING.

Said land situate within Broward County, Florida.

RESERVING UNTO THE GRANTOR a Perpetual Drainage Easement over the above described property.

REVISIONS	DATE	BY					
			_	Sheet 4 of 4			
		1	SURVEY DATE	DRAWN BY	CHECKED BY	MANAGER	