

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN PARCELS OF REAL PROPERTY TO THE TOWN OF DAVIE PURSUANT TO SECTION 125.38, FLORIDA STATUTES; DETERMINING THAT THE PARCELS ARE NOT NEEDED FOR COUNTY PURPOSES; DETERMINING THAT THE USE STATED HEREIN PROMOTES THE PUBLIC OR COMMUNITY INTEREST AND WELFARE; AUTHORIZING THE EXECUTION AND RECORDATION OF THE QUITCLAIM DEED FOR THE PARCELS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") holds title to certain parcels of real property ("Parcels") located in the Town of Davie ("Town"), each parcel is more particularly described in the legal description within the quitclaim deed attached hereto and made a part of this Resolution as Attachment A ("Quitclaim Deed");

WHEREAS, the Town applied to the Board of County Commissioners of Broward County, Florida ("Board"), for the conveyance of the Parcels to Town for right-of-way purposes ("Stated Purpose");

WHEREAS, Section 125.38, Florida Statutes, states that if "the state or any political subdivision or agency thereof, or any municipality of this state . . . should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners, for public or community interest and welfare, then the . . . state or such political subdivision, agency, municipality . . . may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that

such property is required for such use and is not needed for county purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board"; and

WHEREAS, the Board supports the use of the Parcels for the Stated Purpose and desires to approve and authorize the conveyance of the Parcels to Town for the Stated Purpose, NOW, THEREFORE,

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 deemed incorporated by reference herein as though set forth in full hereunder.

Section 2. The Board finds that (1) Town applied to the Board for the conveyance of the Parcels for the Stated Purpose in accordance with Section 125.38, Florida Statutes; (2) the Stated Purpose promotes public or community interest and welfare; and (3) the Parcels are required by Town for the Stated Purpose and are not needed for County purposes.

Section 3. The Board authorizes the conveyance of the Parcels to Town for the Stated Purpose in exchange for the total price of Ten Dollars (\$10.00).

Section 4. The Board authorizes the Mayor or Vice-Mayor of the Board to execute the Quitclaim Deed in the same form as Attachment A and authorizes the County Administrator to attest to such execution.

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

Section 6. 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.

Section 7. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this ____ day of ____, 2023.

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

By: /s/ Christina A. Blythe 08/02/2022
Christina A. Blythe (date)
Assistant County Attorney

By: /s/ Annika E. Ashton 08/02/2022
Annika E. Ashton (date)
Deputy County Attorney

Return recorded copy to:
Broward County 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, Esq.
Office of the County Attorney
Broward County, Florida
115 South Andrews Avenue, Room 423
Fort Lauderdale, FL 33301

Folio: 504137012480; 514103010941; 504137012430;
504015010700; 504119030740; 504137010521;
504127010890; 504127011010; 504128010420;

QUITCLAIM DEED

(Pursuant to Sections 125.411 and 125.38, Florida Statutes)

THIS QUITCLAIM DEED is made this ____ day of _____, 2023, by BROWARD COUNTY, a political subdivision of the State of Florida ("Grantor"), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and TOWN OF DAVIE, a Florida municipal corporation ("Grantee"), whose address is 8800 Southwest 36th Street, Town of Davie, Florida 33328.

(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.)

W I T N E S S E T H:

That Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable considerations, 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, to wit:

See Exhibit A, attached hereto and made a part hereof ("Property").

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 2023 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

ATTEST:

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

(Official Seal)

BROWARD COUNTY, by and through
its Board of County Commissioners

By: _____
Mayor
____ day of _____, 20____

Approved as to form by
Andrew J. Meyers
Broward County Attorney
115 South Andrews Avenue, Suite 423
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

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

Folio Number

504137012480

Legal Description

The East 15.0 feet of Tract 4, Tier 7 of Newman's Survey of Section 24, Township 50 South, Range 41 East, as shown on the plat thereof, as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida.

This deed is given subject to the following condition, which shall be construed as a covenant running with the land and similar to a "fee simple determinable", to-wit: That the highway to be constructed on the above lands shall not be a limited access highway and shall at all times afford to the grantors, its successors and assigns, full and unrestricted access and use thereof.

and

The East 15.0 feet of Tract 3, Tier 7 of Newman's Survey of Section 24, Township 50 South, Range 41 East, as shown on the plat thereof recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida, lying South of the Florida State Turnpike Authority right of way; AND

All that external area lying Northeasterly of an arc formed by a 25.0 feet radius, tangent to a line 15.0 feet West of and parallel to the East boundary of said Tract 3, Tier 7 and tangent to the South right of way line of the Florida State Turnpike Authority right of way. This deed is given subject to the following condition which shall be construed as a covenant running with the land and similar to a "fee simple determinable", to-wit: That the highway to be constructed on the above lands shall not be a limited access highway and shall at all times afford to the grantors, their heirs and assigns, full and unrestricted access and use thereof.

Parcel 2:

Folio Number

514103010941

Legal Description

A PORTION OF "A.J. BENDLE'S SUBDIVISION OF SECTIONS 3 AND 10, TOWNSHIP 51 SOUTH, RANGE 41 EAST" (PLAT BOOK 1, PAGE 27, DADE COUNTY RECORDS)

IN THE NORTHWEST ONE-QUARTER OF SECTION 03, TOWNSHIP 51 SOUTH, RANGE 41 EAST, DESCRIBED IN A WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 4659, PAGE 695, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 03; THENCE S 01°26'34" E, ALONG THE WEST LINE OF SAID SECTION 03, 1,142.59 FEET TO THE POINT OF BEGINNING; THENCE N 88°33'26" E, 70.00 FEET TO THE POINT OF CURVATURE OF A CURVE ON THE WEST LINE OF LOT 23, BLOCK 1, OF "NOVA HOMES TWO", AS RECORDED IN PLAT BOOK 97, PAGE 22, BROWARD COUNTY RECORDS; THENCE S 01°26'34" E, ALONG THE WEST LINE OF SAID PLAT, 100.01 FEET TO THE POINT OF CURVATURE OF A CURVE ON THE WEST LINE OF LOT 24, BLOCK 2, OF SAID PLAT; THENCE S 88°33'26" W, 70.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 03; THENCE N 01°26'34" W, ALONG SAID WEST LINE OF SECTION 03, 100.01 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE, LYING, AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINS 7,001 SQUARE FEET (0.1607 ACRES), MORE OR LESS.

Parcel 3:

Folio Number

504137012430

Legal Description

The Southerly 20.0 feet of that portion of Tract 6, Tier 7, Section 24, Township 50 South, Range 41 East, Broward County, Florida, according to the Plat of NEWMAN'S SURVEY, recorded in Plat Book 2, Page 26, of the public records of Dade County, Florida, more particularly described as follows:

Commence at a point 200.0 feet South of the North line of said Tract 6, and on the West line of said Tract 6, said point being the POINT OF BEGINNING; THENCE Southerly along the West line of the said Tract 6, a distance of 453.65 feet to the South line of the said tract 6; THENCE Easterly with an included angle of 73°54'15" along the South line of said Tract 6, a distance of 215.45 feet; THENCE Northerly a distance of 394.0 feet to a point 200.0 feet South of the North line of said Tract 6; THENCE Westerly a distance of 207.0 feet to the POINT OF BEGINNING; said parcel containing 2 acres more or less; said land situate, lying and being in Broward County, Florida.

LESS any previously deeded or dedicated rights of way.

Parcel 4:

Folio Number

504015010700

Legal Description

All that portion of the South 25.0 feet of Tracts 6, 54 and 61, together with the North 25.0 feet of Tracts 7, 55 and 60, Section 15, Township 50 South, Range 40 East, FLORIDA FRUIT LAND COMPANY'S PLAT NO. 1, as recorded in Plat Book 2, Page 17, Public Records of Dade County, Florida.

Parcel 5:

Folio Number

504119030740

Legal Description

A portion of Block 2, of "MARTHA BRIGHT FARMS", as recorded in Plat Book 15, page 16, of the public records of Broward County, Florida, described as follows:

From the northwest corner of said Block 2 run N 88°48'35" E 15 feet along the north line of Block 2; thence, S 0°10'00" W and parallel with the west line of Block 2 a distance of 600.09 feet to a point of curvature and a point of beginning; thence, on a curve to the left having a radius of 25 feet and a central angle of 91°21'25", an arc distance of 39.86 feet to a point of tangency; thence, N 88°48'35" E 462.63 feet to a point of curvature; thence, on a curve to the left having a radius of 125 feet and a central angle of 68°, an arc distance of 148.35 feet to a point of tangency; thence, N 20°48'35" E 84.00 feet to a point of curvature; thence, on a curve to the right having a radius of 175 feet and a central angle of 68°, an arc distance of 207.69 feet to a point of tangency; thence, N 88°48'35" E 473.40 feet to a point of curvature; thence, on a curve to the left having a radius of 125 feet and a central angle of 31° an arc distance of 67.63 feet to a point of tangency; thence, N 57°48'35" E 159.50 feet to a point of curvature; thence, on a curve to the right having a radius of 175 feet and a central angle of 31° an arc distance of 94.68 feet to a point located 1562.67 feet east of the northwest corner of Block 2, as measured along the north line of Block 2, and 235 feet south of the north line of Block 2; thence, S 1°11'25" E 50 feet along a line radial to the last described curve; thence, southwesterly along a curve to the left and concentric with the last described curve and having a radius of 125 feet and a central angle of 31°, an arc distance of 67.63 feet to a point of tangency; thence, S 57°48'35" W 159.50 feet to a point of curvature; thence, on a curve to the right having a radius of 175 feet and a central angle of 31° an arc distance of 94.68 feet to a point of tangency; thence, S 88°48'35" W 473.40 feet to a point of curvature; thence, on a curve to the left having a radius of 125 feet and a central angle of 68° an arc distance of 148.35 feet to a point of tangency; thence, S 20°48'35" W 84.00 feet to a point of curvature;

thence, on a curve to the left having a radius of 344.18 feet and a central angle of $18^{\circ}45'14''$ an arc distance of 112.66 feet; thence, S $88^{\circ}48'35''$ W 602.75 feet to a point of curvature; thence, on a curve to the left having a radius of 25 feet and a central angle of $88^{\circ}38'25''$ an arc distance of 38.68 feet; thence, N $0^{\circ}10'00''$ E 100.02 feet to the point of beginning.

and

A portion of Block 2, "MARTHA BRIGHT FARMS", as recorded in Plat Book 15, Page 16, Public Records of Broward County, Florida, lying in Section 19, Township 50 South, Range 41 East, described as follows:

Beginning at a Point located 1562.67 feet East of the Northwest corner of said Block 2, as measured along the North line of Block 2, and 235.0 feet South of the North line of Block 2; thence North $88^{\circ}48'35''$ East parallel with and 235.0 feet South of said North line a distance of 1249.06 feet to a Point of Curvature; thence Northeasterly along a curve to the left having a radius of 25.0 feet and a central angle of $90^{\circ}27'40''$, an arc distance of 39.47 feet to a Point of Cusp on the East line of said Block 2; thence South $1^{\circ}39'05''$ East along said East line a distance of 100.0 feet to a Point of Cusp; thence Northwesterly along a curve to the left having a radius of 25.0 feet and a central angle of $89^{\circ}32'20''$, an arc distance of 39.07 feet to a Point of Tangency; thence South $88^{\circ}48'35''$ West parallel with and 285.0 feet South of the North line of Block 2, a distance of 189.51 feet to a Point of Curvature; thence Southwesterly along a curve to the left having a radius of 25.0 feet and a central angle of 90° , an arc distance of 39.27 feet to a Point of Tangency; thence South $1^{\circ}11'25''$ East, 925.0 feet to a Point of curvature; thence Southwesterly along a curve to the right having a radius of 75.0 feet and a central angle of 90° , an arc distance of 117.81 feet to a Point of Tangency; thence South $88^{\circ}48'35''$ West, 1423.22 feet to a Point of Curvature; thence Northwesterly along a curve to the right having a radius of 175.0 feet and a central angle of 45° , an arc distance of 137.44 feet to a Point of Tangency; thence North $46^{\circ}11'25''$ West, 210.60 feet to a Point of Curvature; thence Westerly along a curve to the left having a radius of 25.0 feet and a central angle of 90° , an arc distance of 39.27 feet to a Point of Tangency; thence South $43^{\circ}48'35''$ West, 216.44 feet to a Point on a 40-foot radius curve from which a radial line of said curve bears South $82^{\circ}29'31''$ West; thence Southerly, Westerly, Northerly and Easterly along said 40-foot radius curve to the right having a central angle of $282^{\circ}38'08''$, an arc distance of 197.31 feet; thence North $43^{\circ}48'35''$ East, 216.44 feet to a Point of Curvature; thence Northerly along a curve to the left having a radius of 25.0 feet and a central angle of 90° , an arc distance of 39.27 feet to a Point of Tangency; thence North $46^{\circ}11'25''$ West, 92.48 feet to a Point of Curvature; thence Northwesterly along a curve to the right having a radius of 394.18 feet and a central angle of $33^{\circ}16'28''$, an arc distance of 228.92 feet to a Point of Reverse Curvature; thence Northwesterly along a curve to the left having a radius of 125.0 feet and a central angle of $78^{\circ}16'28''$, an arc distance of 170.77 feet to a Point of Cusp; thence North $88^{\circ}48'35''$ East, 164.72 feet to a Point on a 344.18 foot radius curve from which radial line of said curve bears South $87^{\circ}56'39''$ East; thence Southeasterly along said 344.18 foot radius curve to the left having a central angle of $48^{\circ}14'46''$, an arc distance of 289.82 feet to a Point of Tangency; thence South $46^{\circ}11'25''$ East, 403.08 feet

to a Point of Curvature; thence Southeasterly along a curve to the left having a radius of 125.0 feet and a central angle of 45°, an arc distance of 98.17 feet to a Point of Tangency; thence North 88°48'35" East, 418.22 feet to a Point of Curvature; thence Northeasterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Tangency; thence North 1°11'25" West, 268.0 feet to a Point of Curvature; thence Northeasterly along a curve to the right having a radius of 175.0 feet and a central angle of 60°, an arc distance of 183.26 feet to a Point of Tangency; thence North 58°48'35" East, 84.01 feet to a Point of Curvature; thence Northeasterly along a curve to the right having a radius of 175.0 feet and a central angle of 30°, an arc distance of 91.63 feet to a Point of Tangency; thence North 88°48'35" East, 732.25 feet to a Point of Curvature; thence Northeasterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Cusp; thence South 1°11'25" East, 100.0 feet to a Point of Cusp; thence Northwesterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Tangency; thence South 88°48'35" West, 732.25 feet to a Point of Curvature; thence Southwesterly along a curve to the left having a radius of 125.0 feet and a central angle of 30°, an arc distance of 65.45 feet to a Point of Tangency; thence South 58°48'35" West, 84.01 feet to a Point of Curvature; thence Southwesterly along a curve to the left having a radius of 125.0 feet and a central angle of 60°, an arc distance of 130.90 feet to a Point of Tangency; thence South 1°11'25" East, 268.0 feet to a Point of Curvature; thence Southeasterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Tangency; thence North 88°48'35" East, 905.0 feet to a Point of Curvature; thence Northeasterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Tangency; thence North 1°11'25" West, 925.0 feet to a Point of Curvature; thence Northwesterly along a curve to the left having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a Point of Tangency; thence South 88°48'35" West, 960.37 feet; thence North 1°11'25" West, 50.0 feet to the Point of Beginning.

Parcel 6:

Folio Number

504137010521

Legal Description

The East 15 feet of Tract 5, Tier 7, according to Newmans Survey Plat, as recorded in Plat Book 2, Page 26, of the public records of Dade County, Florida.

Parcel 7:

Folio Number

504127010890

Legal Description

That portion of Tract 27, Section 27, Township 50 South, Range 41 East, according to Everglade Land Sales Company Subdivision Plat as shown on the plat thereof recorded in Plat Book 2, Page 34 of the public records of Dade County, Florida, lying within 60.0 feet of the West boundary of said Section 27.

and

That portion of Tract 26, less the North 41.25 feet, Section 27, Township 50 South, Range 41 East, according to Everglade Land Sales Company Subdivision Plat as shown on the plat thereof recorded in Plat Book 2, Page 34 of the public records of Dade County, Florida, lying within 60.0 feet of the West boundary of said Section 27.

Said property to be utilized for road purposes and shall revert to the Grantors when subject property is not so used.

and

All that portion of the West 60.0 feet of Tract 28, Section 27, Township 50 South, Range 41 East, Everglades Land Sales Company, according to the Plat thereof recorded in Plat Book 2, Page 34, Public Records of Dade County, Florida.

Parcel 8:

Folio Number

504127011010

Legal Description

A Portion of Tract 33 in Section 27, Township 50 South, Range 41 East, according to the plat of "EVERGLADE LAND SALES CO. SUBDIVISION", as recorded in Plat Book 2, Page 34, of the Public Records of Dade County, Florida, described as follows:

The West 60 feet of the North half (N½) of Tract 33, Section 27, Township 50 South, Range 41 East, according to the plat of "EVERGLADE LAND SALES CO. SUBDIVISION", as recorded in Plat Book 2, Page 34, of the Public Records of Dade County, Florida; also described in Official Records Book 3018, Page 158, of the Public Records of Broward County, Florida.

AND

The West 60 feet of the South half (S½) of Tract 33, Section 27, Township 50 South, Range 41 East, according to the plat of "EVERGLADE LAND SALES CO. SUBDIVISION", as recorded in Plat Book 2, Page 34, of the Public Records of Dade County, Florida; also described in Official Records Book 3018, Page 156, of the Public Records of Broward County, Florida.

TOGETHER WITH:

All that external area lying Southwesterly of an arc formed by a 25.0 foot radius, tangent to the South boundary of said Tract 33 and to a line 60.0 feet East of and parallel to the West boundary of said Tract 33; also described in Official Records Book 5719, Page 490, of the Public Records of Broward County, Florida.

Said land situate and lying in the Town of Davie, Broward County, Florida, and containing 79,224 square feet (1.82 acres), more or less.

Parcel 9:

Folio Number

504128010420

Legal Description

A part of Tracts 10, 11, and 23, of JOHN W. NEWMAN'S SUBDIVISION of Section 28, Township 50 South, Range 41 East, according to the Plat thereof, as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida, described as follows:

Beginning at the Northwest corner of said Tract 11; thence along the North boundary of said Tract 11, North 88° 32' 29" East, 40.00 feet; thence along a line parallel with the West boundary of said Tract 11, South 02° 08' 10" East, 1135.62 feet to a point of curve; thence southwesterly along a tangent curve concaved to the Northwest, having a radius of 440.00 feet and a central angle of 50° 49' 31", an arc distance of 390.31 feet; thence tangent to said curve South 48° 41' 21" West, 66.05 feet to a point of curve; thence along a tangent curve concaved to the East, having a radius of 25.00 feet and a central angle of 86° 57' 24", an arc distance of 37.94 feet to a point of cusp, a radial line thru said point bears South 51° 43' 57" West; thence northwesterly along a circular curve concaved to the southwest, having a radius of 1199.28 feet and a central angle of 06° 05' 12", an arc distance of 127.41 feet to a point of cusp, a radial line thru said point bears North 45° 38' 45" East; thence easterly along a circular curve concaved to the North, having a radius of 25.00 feet and a central angle of 86° 57' 24", an arc distance of 37.94 feet; thence tangent to said curve North 48° 41' 21" East, 66.05 feet to a point of curve; thence northerly along a tangent curve concaved to the Northwest, having a radius of 360.00 feet and central angle of 50° 49' 31", an arc distance of 319.34 feet; thence tangent to said curve along a line parallel with and 40.00 feet West of the East boundary of said Tract 10, North 02° 08' 10" West, 1136.56 feet to the North boundary of said Tract 10; thence North 88° 32' 29" East 40.00 feet to the Point of Beginning. Said lands lying in Broward County, Florida, containing 2.91 acres more or less.