

**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:**

**Section 1:** 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."

**Section 3:** 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<sup>rd</sup> day of December, 2020.

  
Louis Sarbone, Mayor

  
  
Leslie Wallace May, City Clerk

Sarbone Aye  
Rydell Aye  
Tooley Aye  
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



Folio 4842 29010101

Sec. 29,30-48-42

QUIT-CLAIM DEED  
FROM CORPORATION

71 132779

This Quit-Claim Deed, Executed this 24th day of August, A. D. 1971, 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  
first party, to BROWARD COUNTY, a political subdivision of the State of  
Florida

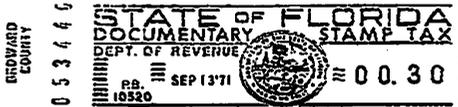
whose postoffice address is Courthouse  
Fort Lauderdale, Florida 33301

second party:

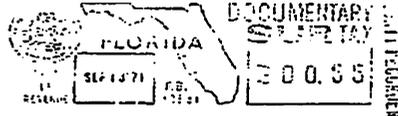
Wherever used herein the terms "first party" and "second party" shall include singular and plural forms, legal  
representatives and assigns of individuals and the successors and assigns of corporations, wherever the context  
so admits or requires.

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 remise, re-  
lease and quit-claim unto the said second party forever, 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, being and being  
in the County of BROWARD State of FLORIDA to wit:

SEE ATTACHED DESCRIPTION



RECORDED  
INDEXED  
OCT 1 1971



RECORDED  
INDEXED  
OCT 1 1971

This instrument was prepared by  
John E. Lloyd, County Attorney  
248 Courthouse, Ft. Lauderdale

To Have and to Hold the same together with all and singular the appurtenances thereto  
belonging or in anywise appertaining, 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-  
ent to be executed in its name, and its corporate seal to be hereunto affixed,  
by its proper officers thereunto duly authorized, the day and year first above  
written.

CORPORATE SEAL  
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA  
SIGNED, SEALED AND DELIVERED in the presence of:  
Catherine Vetro  
Jan J. Anderson  
Florida  
COUNTY OF Broward

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA  
By H. Don Moore President

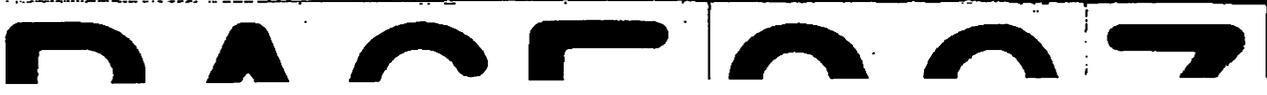
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,  
personally appeared H. Don Moore & Benjamin C. Willis  
well known to me to be the President and Secretary respectively of the body corporate  
in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses, first and second,  
under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.  
WITNESS my hand and official seal in the County and State last aforesaid, this 24th day of August, 1971.

Per County Comm. 9/7/71  
Engineering Department  
Return to Minutes

Catherine Vetro  
NOTARY PUBLIC, STATE OF FLORIDA AT-LARGE  
MY COMMISSION EXPIRES SEPT. 8, 1971  
JUNGED THROUGH FRED W. DIEBELHORST

OFF. 4686 PAGE 997

Fee



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 $\frac{1}{4}$ ) of Section 29 and the Southeast Quarter (SE $\frac{1}{4}$ ) 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 (SW $\frac{1}{4}$ ) of Section 29; thence run North 1 $^{\circ}$ 19'13" West (on an assumed bearing) 40.48 feet along the West line of said Southwest Quarter (SW $\frac{1}{4}$ ) 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 88 $^{\circ}$ 19'31" 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 89 $^{\circ}$ 59'00" 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 89 $^{\circ}$ 03'31" East 765.87 feet along said North right of way line to the Point of Beginning as described above.

10/27/2020 3:41:51 PM  
Broward County Clerk's Office  
1111 North Broward Blvd, Ft. Lauderdale

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

OFF 4000 PAGE 005

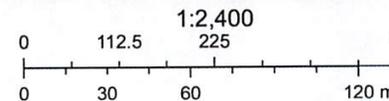


Property Id: 484229010101

Please see map disclaimer



October 27, 2020







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.

WITNESS my hand and official seal at Needham, in said County and State, this 21<sup>st</sup> day of December, 1971.

*Neil E. Tillotson*  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:

My Commission Expires  
June 7, 1976

(Notarial Seal)



QUIT CLAIM DEED

REC-4710 and 861

BRONX COUNTY

Dated \_\_\_\_\_ 19\_\_

FILED FOR RECORD

In the office of the Clerk of the Court for the County of Bronx, State of Florida, on the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_ , said deed in Deed Book \_\_\_\_\_ and the record verified.

Clerk of the Circuit Court,  
Bronx County, Florida

Form No. 601

Date: 10/27/2020 Time: 3:42 PM To: FL-010-2020-005093 @ 79949543691954  
e Fund Page: 007

Th

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

Page 3 of 3

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

A parcel of land in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29 and in the Southeast Quarter (SE $\frac{1}{4}$ ) 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:

Commencing at the Southwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29; thence run North 1 $^{\circ}$ 19'13" West (on an assumed bearing) 40.48 feet along the West line of said Southwest Quarter (SW $\frac{1}{4}$ ) to an intersection with the North right of way line of Hammondville Road (S.R. 814); thence run North 88 $^{\circ}$ 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 $^{\circ}$ 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 Tract 27; thence run due North 35.0 feet along said West boundary of Tract 27; thence run South 89 $^{\circ}$ 59'00" East 1360.0 feet to a Point; thence run due South 945.85 feet to a Point of Curvature of a Circular Curve to the left having a radius of 160.0 feet; thence run Southeasterly 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 Southeasterly along the arc of said curve a distance of 263.98 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 28 to a Point of Curvature of a Circular Curve to the left, having a radius of 25.0 feet; thence run along the arc of said curve a distance of 40.0 feet to a Point of Tangency with the North right of way line of Hammondville Road (S.R. 814); thence run South 88 $^{\circ}$ 19'31" West along said line 130.03 feet to the Point of Beginning.



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

OFF 4710  
REC. 502

**PAGF 862**





**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