

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE COUNTY TO RELEASE
3 CERTAIN ROADWAY RESERVATIONS FOR RIGHT-OF-WAY PURPOSES, ON
4 PORTIONS OF REAL PROPERTY LOCATED IN SUNRISE, FLORIDA, AND OWNED
5 BY THE CITY OF SUNRISE, A MUNICIPAL CORPORATION; AND PROVIDING FOR
6 SEVERABILITY AND AN EFFECTIVE DATE.

7
8 WHEREAS, on December 19, 1950, Broward County ("County"), as fee title owner
9 of that certain real property located in Sunrise, Florida ("Property"), as more particularly
10 described in the legal description included in Attachment 1 attached hereto, transferred
11 the Property to John D. Kennedy and Elma R. Kennedy, husband and wife, via County
12 Deed, Instrument Number 408624 ("Deed");

13 WHEREAS, the Deed included certain roadway reservations in favor of the County
14 affecting portions of the Property, including Tract 26, Tract 7, Tract 35, Tract 55, and
15 Tract 56 (collectively, the "Roadway Reservations"), as more particularly described in the
16 Deed;

17 WHEREAS, on March 4, 1997 (Agenda Item No. 3), the Board of County
18 Commissioners of Broward County, Florida ("Board"), released a portion of the Roadway
19 Reservations lying within Tract 35, Tract 55, and Tract 56 ("Released Reservations"),
20 determining that the Released Reservations were no longer needed for County road
21 purposes;

22 WHEREAS, the City of Sunrise, a municipal corporation (“City”), is now the owner
23 of a portion of the Property lying within Tract 7 (“City Property”), and plans to develop the
24 City Property to build a hospital on the Property (“Stated Purpose”);

25 WHEREAS, to facilitate development of the City Property for the Stated Purpose,
26 the City has requested that the County release the Roadway Reservations lying within
27 Tract 7 of the Property (“Tract 7 Reservation”);

28 WHEREAS, the Board wishes to release the Tract 7 Reservation subject to the
29 terms provided herein and in the Release attached hereto and made a part hereof as
30 Attachment 2; and

31 WHEREAS, the Board has determined that the Tract 7 Reservation is no longer
32 needed for County road purposes, and the City’s Stated Purpose serves a public purpose
33 and is in the best interest of the County, NOW, THEREFORE,

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

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

38 Section 2. The Board finds that the City’s proposed use of the City Property for
39 the Stated Purpose promotes public or community interest and welfare.

40 Section 3. The Board finds that the Tract 7 Reservation is no longer needed for
41 County road purposes, and a release of the Tract 7 Reservation is required for the Stated
42 Purpose.

43 Section 4. The Board hereby authorizes the Mayor and the County
44 Administrator to execute the Release attached as Attachment 2.

108624

DEED 716 PAGE 352

County Deed

1844, 1845
Application No. 1841, 1842, 1843/
Deed No. 817

Under Chapter 194, Florida Statutes 1941

STATE OF FLORIDA)
COUNTY OF BROWARD)

This deed made this 19th day of December, A. D. 1950, by the County of Broward, State of Florida, party of the first part, and JOHN D. KENNEDY and ELVA R. KENNEDY, husband and wife, 530 S. Andrews Ave., Port Lauderdale, Florida

parties of the second part,



Witnesseth That the said party of the first part for and in consideration of the sum of One Thousand, Seven Hundred Fifty-five ^{and no/100} (\$ 1,755.00) Dollars to it in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold unto the parties of the second part, their heirs and assigns forever, the following described land, to-wit:

- Tract 26, Florida Fruit Land Co. Sub Plat #2, Section 13, Township 49 South, Range 40 East, Plat Book 1, Page 102, Palm Beach County Records
- Tract 7, Florida Fruit Land Co. Sub No. 1, Section 23, Township 49 South, Range 40 East, Plat Book 2, Page 17, Dade Co Records
- Tract 35 lying S & E of Central & South Florida Flood Control Dist. Levee 35-A, Florida Fruit Land Co. Sub No. 1, Section 23, Township 49 South, Range 40 East, Plat Book 2, Page 17, Dade Co. Records
- Tract 55, Florida Fruit Land Co Sub No. 1, Section 23, Township 49 South, Range 40 East, Plat Book 2, Page 17, Dade Co. Records
- Tract 56, Florida Fruit Land Co. Sub No. 1, Section 23, Township 49 South, Range 40 East, Plat Book 2, Page 17, Dade Co. Records

in the County of Broward, State of Florida.

Reserving unto the County of Broward Easement for Road Right of Way: seventy feet wide lying equally on each side of all section lines, fifty feet wide lying equally on each side of the center line of any County Public Road, and 100 feet wide lying equally on each side of the center line of any State Designated Road, existing on the date of this sale, through so much of any parcel herein described as is within thirty-five feet of said section line, twenty-five feet of said Public Road center line, or fifty feet of said State Road center line.

IN TESTIMONY WHEREOF, and by virtue of the authority vested by law in the Board of County Commissioners, and for and on behalf of the County of Broward, State of Florida, we, the undersigned, as members of the Board of County Commissioners for the County and State aforesaid, have executed this deed and have thereunto set our official signatures and seals, attested by the Clerk of the Circuit Court for said County, this the 19th day of December, A. D. 1950.

Signed, sealed and delivered in the presence of:

J. B. Collins (SEAL) Member Board of County Commissioners

Robert T. Fallon (SEAL) Member Board of County Commissioners

Robert T. Fallon (SEAL) Member Board of County Commissioners

Robert T. Fallon (SEAL) Member Board of County Commissioners

Samy Salinas (SEAL) Member Board of County Commissioners

ATTEST

CLERK CIRCUIT COURT
Broward County, Florida



Return Recorded document to:
Highway Construction and Engineering Division
1 North University Drive, Suite 300
Plantation, Florida 33324

Document prepared by:
Reno V. Pierre, Assistant County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

Folio Number(s): a portion of 494024180010

RELEASE OF ROADWAY RESERVATION

This RELEASE OF ROADWAY RESERVATION (“Release”) is made this _____ day of _____, 2024 by BROWARD COUNTY, a political subdivision of the State of Florida, whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301 (“County”), for the benefit the CITY OF SUNRISE, a municipal corporation, whose address is 10770 West Oakland Park Boulevard, Sunrise, Florida 33351 (“City”). The County and City are referred to individually as a “Party” and collectively referred to as the “Parties.”

RECITALS

A. On December 19, 1950, the County, as fee title owner of that certain real property located in Sunrise, Florida, and as more particularly described in the legal description included in **Exhibit A** attached hereto and made a part hereof (“Property”), transferred the Property to John D. Kennedy and Elma R. Kennedy, husband and wife, via County Deed, Instrument Number 408624, recorded in Official Records Book 716, Page 352, of the Public Records of Broward County, Florida (“Deed”), attached hereto as **Exhibit A**.

B. The Deed included certain roadway reservations in favor of the County, affecting portions of the Property, including Tract 26, Tract 7, Tract 35, Tract 55, and Tract 56 (collectively, the “Roadway Reservations”), as more particularly described in the Deed.

C. On March 4, 1997, the County released a portion of the Roadway Reservations lying within Tract 35, Tract 55, and Tract 56 (“Released Reservations”), determining that the Released Reservations were no longer needed by the County for County road purposes.

D. The City is now the owner of a portion of the Property lying within Tract 7 (“City Property”) and plans to develop the City Property to build a hospital on the Property.

E. The City has requested that the County release the Roadway Reservations lying within Tract 7 of the Property (“Tract 7 Reservation”), to allow the City to continue with its development plans for the City Property.

F. The County is willing to release the Tract 7 Reservation pursuant to this Release.

RELEASE

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The recitals set forth above are true, accurate, and fully incorporated by reference herein.

2. The County hereby releases the Tract 7 Reservation imposed by the Deed upon the City Property as more particularly described in the reservation contained in **Exhibit A**. Except as provided herein, the Roadway Reservations shall remain unchanged and in full force and effect as to all remaining portions of the Property.

3. This Release shall be governed by and construed in accordance with the laws of the State of Florida.

4. This Release shall be recorded in the Public Records of Broward County, Florida, and shall become effective upon recordation.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, this Release is executed by: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ___ day of _____, 20__, (Board Agenda Item No. __).

COUNTY

ATTEST:

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

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

By Reno V. Pierre Digitally signed by Reno V. Pierre
Date: 2024.06.04 16:52:05 -04'00'
Reno V. Pierre (Date)
Assistant County Attorney

By Annika E. Ashton Digitally signed by Annika E. Ashton
Date: 2024.06.04 16:52:23 -04'00'
Annika E. Ashton (Date)
Deputy County Attorney

EXHIBIT A

DEED

108624

DEED 716 PAGE 352

County Deed

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parties of the second part,



Witnesseth That the said party of the first part for and in consideration of the sum of One Thousand, Seven Hundred Fifty-five ^{and no/100} (\$ 1,755.00) Dollars to it in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold unto the parties of the second part, their heirs and assigns forever, the following described land, to-wit:

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- Tract 35 lying S & E of Central & South Florida Flood Control Dist. Levee 35-A, Florida Fruit Land Co. Sub No. 1, Section 23, Township 49 South, Range 40 East, Plat Book 2, Page 17, Dade Co. Records
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in the County of Broward, State of Florida.

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IN TESTIMONY WHEREOF, and by virtue of the authority vested by law in the Board of County Commissioners, and for and on behalf of the County of Broward, State of Florida, we, the undersigned, as members of the Board of County Commissioners for the County and State aforesaid, have executed this deed and have thereunto set our official signatures and seals, attested by the Clerk of the Circuit Court for said County, this the 19th day of December, A. D. 1950.

Signed, sealed and delivered in the presence of:

J. B. Collins (SEAL) Member Board of County Commissioners

Robert T. Fallon (SEAL) Member Board of County Commissioners

Robert T. Fallon (SEAL) Member Board of County Commissioners

Samy Salvino (SEAL) Member Board of County Commissioners

ATTEST

Ed. G. [Signature] CLERK CIRCUIT COURT

Broward County, Florida

