

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF HOLLYWOOD, FLORIDA, VACATING UTILITY
EASEMENTS LYING WITHIN BLOCK 1 OF THE
“SUNNYSIDE ESTATES” PLAT, PLAT BOOK 19, PAGE 35.

WHEREAS, Stor-All South Dixie Highway, LLC. (“Stor-All”) is proposing to construct a 122,970 square foot self-storage facility on Lots 1, 2, 3 and 15 of the Sunnyside Estates Plat, recorded in Plat Book 19, Page 35 of the Public Records of Broward County, Florida; and

WHEREAS, Stor-All has submitted application VA-20-02 for review and approval to vacate the subject 3 foot and 5 foot utility easements within Block 1 of the “SUNNYSIDE ESTATES” Plat, depicted in the attached Exhibit “A”; and

WHEREAS, the City’s Engineering, Transportation & Mobility Division has processed the appropriate utility easement vacation application, and as a part of this process, the Division sent written requests to other affected agencies and utility providers for their review of the application and submission of their written responses, including any objections they may have to the requested vacation; and

WHEREAS, all affected agencies and utility providers have reviewed the request and have no objection to the requested vacation; and

WHEREAS, all utility relocations and Unity of Title requirements shall be satisfied prior to the vacation becoming effective; and

WHEREAS, following analysis of the application, staff has determined that the vacation is consistent with the City’s Code and Comprehensive Plan objectives and is recommending approval with the following requirements:

- i) That the City has received written notice from Florida Power and Light Company, ATT, Comcast, Teco and Hollywood’s Department of Public Utilities confirming satisfactory relocation of their respective utility facilities located in the subject utility easements, and thus, no objection to the vacation;
- ii) That the City has received a Unity of Title for Lots 1, 2, 3 and 15 providing for unified development of the consolidated parcels; and
- iii) That the above requirements shall be satisfied no later than 24 months from the date of adoption of this Ordinance. In the event that these requirements are not satisfactorily completed and the Certificate is not recorded within the

prescribed 24 month time period, this Ordinance shall become null and void;
and

WHEREAS, the City Commission, after review of the recommendations of staff and consideration of this issue, has determined that the subject utility easements are not required for public use, and the proposed vacation bears a reasonable relationship to the health, safety, and welfare of the citizens of the City; and

WHEREAS, the City Commission has further determined that the proposed vacation would be in the best interest of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it vacates the utility easements within Block 1 of the Plat of "SUNNYSIDE ESTATES", as set forth in Plat Book 19, Page 35, and as more specifically described in the attached Exhibit "A".

Section 3: That this Resolution shall be in full force and effect immediately upon the date of recordation of a certificate of the City Engineer stating the following requirements have been satisfied:

- a) That the City has received written notice from Florida Power and Light Company, ATT, Comcast, Teco and Hollywood's Department of Public Utilities confirming satisfactory relocation of their respective utility facilities located in the subject utility easements, and thus, no objection to the vacation;
- b) That the City has received a Unity of Title for Lots 1, 2, 3 and 15 providing for unified development of the consolidated parcels; and
- c) That the above requirements shall be satisfied no later than 24 months from the date of adoption of this Ordinance. In the event that these requirements are not satisfactorily completed and the Certificate is not recorded within the prescribed 24 month time period, this Ordinance shall become null and void.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD,
FLORIDA, VACATING A PORTION OF THE PLATTED UTILITY EASEMENTS LYING
WITHIN BLOCK 1 OF THE PLAT OF "SUNNYSIDE ESTATES".

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY