

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO CERTIFY AND FILE A RIGHT OF WAY MAINTENANCE MAP DEDICATING AND VESTING ALL RIGHTS, TITLE, EASEMENT AND APPURTENANCES OF THAT PORTION OF THE CONSTRUCTED SW 66TH AVE ROAD IN THE CITY IN ACCORDANCE WITH SECTION 95.361(3), FLORIDA STATUTES.

WHEREAS, a portion of Southwest 66th Avenue (the "Road") described in the Right of Way Maintenance Map, attached as Exhibit "A" (the "Maintenance Map"), is shown by historic aerials to have been in existence since at least 1998; and

WHEREAS, a search of the public records of Broward County, Florida, has not produced any document formally conveying or dedicating the Road, or a right of way easement for the Road to the City of Hollywood or any other governmental entity; and

WHEREAS, the Road is located within the municipal limits of the City of Hollywood and the City has regularly maintained and repaired the Road for more than the immediate past seven years; and

WHEREAS, Section 95.361(2), Florida Statutes, provides that, when a road has been regularly maintained for the immediate past seven years by a municipality, such road shall be deemed to be dedicated to the public, and said dedication shall vest all rights, title, easement and appurtenances in and to the road in the municipality; and

WHEREAS, Section 95.361(3), Florida Statutes, provides that the filing of a map duly certified by the Mayor and the clerk of the municipality in the office of the clerk of the circuit court of the county where the road is located showing the lands and reciting on the map that the road has vested in a municipality in accordance with subsection (2) shall be prima facie evidence of ownership of the land by the municipality; and

WHEREAS, the attached Maintenance Map complies with the requirements of Section 95.361(3), Florida Statutes.

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

APPROVING THE CERTIFYING AND FILING OF A RIGHT OF WAY MAINTENANCE
MAP

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 authorizes the appropriate City officials to certify and file the attached right of way Maintenance Map as provided in Section 95.361(3), Florida Statutes.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

DOUGLAS R. GONZALES
CITY ATTORNEY