

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A SUBORDINATION OF CITY UTILITY INTERESTS AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A SOUTHBOUND RIGHT-TURN LANE ALONG A1A AT THE DRIVEWAY ACCESS TO HYDE BEACH HOUSE BY THE OWNER OF THE DEVELOPMENT.

WHEREAS, 4000 South Ocean Property Owner, LLLP, is the Developer and Owner of Hyde Beach House, located at 4010 South Ocean Drive; and

WHEREAS, the Developer has completed construction of a southbound right-turn deceleration lane along A1A into the project site and the neighboring property to the north, as required by the Florida Department of Transportation (“FDOT”); and

WHEREAS, FDOT will be the operating and maintaining agency for the turn lane, and requires proper land ownership from the current owner and consent by others having interests in the land within the turn lane limits; and

WHEREAS, in 1972, the City was granted easements that were within the limits of the turn lane, as recorded in Broward County Plat Book 5046, Pages 280, 283 and 286, attached as Exhibit “A”; and

WHEREAS, the Developer has transferred land ownership of the turn lane to FDOT, and consent of the City’s vested easement interests within limits of the turn lane is necessary; and

WHEREAS, FDOT has requested the City execute a Subordination of City Utility Easement Agreement, attached as Exhibit “B”, making this portion of the property function similar to state right-of-way as required for FDOT to become the owner and operator of the turn lane.

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

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 approves and authorizes the execution, by the appropriate City officials, of the attached Subordination of City Utility Interests Agreement with the Florida Department of Transportation, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

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

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