

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, VACATING A PORTION OF A 12-FOOT UTILITY EASEMENT (BROWARD COUNTY ORB 3113 AT PG 318, AND ORB 11241 AT PG 755) LOCATED WITHIN HILLCREST COUNTRY CLUB SOUTH, IN CONNECTION WITH THE CONSTRUCTION OF A NEW RESIDENTIAL COMMUNITY (VA-18-01).

WHEREAS, Pulte Home Company, LLC (“Pulte”) is the owner of the Hillcrest Country Club South property, located within the municipal boundaries of the City of Hollywood, generally located east of South 52nd Avenue, between Hillcrest Drive and Pembroke Road, and is proposing to construct a new residential community on the property; and

WHEREAS, on March 16, 2016, the City Commission passed and adopted Ordinance No. O-2016-10, which approved the Hillcrest PUD Site Plan for 645 residential units and amenities; and

WHEREAS, the Owner has requested the vacation of a portion of the subject 12-foot Utility Easement crossing the Hillcrest Country Club South site as more particularly described in Exhibit “A” attached hereto, as it conflicts with the placement of the new residential units, and its purpose is no longer necessary; and

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

WHEREAS, the written request from the Engineering Division clearly states that if the agency does not respond within the period specified in the request, the City will assume that the agency has no objections 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, following analysis of the application, staff has determined said vacation to be consistent with the City’s Code and Comprehensive Plan objectives; and

WHEREAS, the City Commission, after review of the recommendations of staff and consideration of this issue, has determined that the subject utility easement is not

required for public use, and the proposed vacation bears a reasonable relationship to the health, safety and welfare of the citizens of Hollywood, Florida; and

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

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 into this Resolution.

Section 2: That it vacates a portion of a 12-foot Utility Easement (Broward County Official Records Book 3113 at Page 318, and Official Records Book 11241 at Page 755) located within Hillcrest Country Club South, as more particularly described in the attached Exhibit "A".

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

PASSED AND ADOPTED this _____ day of _____, 2018.

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