

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED SUBORDINATION OF CITY UTILITY INTERESTS AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A TRAFFIC SIGNAL ALONG SHERIDAN STREET, EAST OF US1 WITHIN THE WEST LAKE COMMONS PLAT.

WHEREAS, the City and the Florida Department of Transportation ("FDOT") have requested the current owner of the West Lake Commons project, Real Sub, LLC, to install a traffic signal at its main Sheridan Street entrance and to make the US1 driveway exit a right turn exit only; and

WHEREAS, the City was granted utility easements for water and sewer lines by West Lake Commons LLC during the development of the West Lake Commons shopping center, recorded in Official Records Book 50631 at Page 1596 of the Public Records of Broward County; and

WHEREAS, the owner of West Lake Commons has submitted permit plans to FDOT to construct a traffic signal and a full intersection opening along Sheridan Street opposite SE 2<sup>nd</sup> Avenue; and

WHEREAS, FDOT will be the agency responsible for operating and maintaining the traffic signal and requires the dedication of a perpetual easement for traffic signalization by the current owner and consent by others having interests in the land for the placement of traffic control devices; and

WHEREAS, Real Sub LLC, the current owner of the site, has provided the perpetual easement and consent of easement for the other interest holders in the property, but does not have clear title due to the existence of City utility easements within the area proposed for the traffic signal improvements; and

WHEREAS, FDOT has requested that the City execute the attached Subordination of City Utility Interests Agreement, which will allow FDOT to become the owner and operator of the traffic control installation.

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 for Traffic Signal, 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
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.

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DOUGLAS R. GONZALES, CITY ATTORNEY