

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, VACATING A PRIVATE ACCESS EASEMENT LYING WITHIN PARCEL "A" OF THE "PORT EVERGLADES PLAT NO. 12" PLAT; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION, AND AN EFFECTIVE DATE.

WHEREAS, Broward County, as owner of the parcels within "Port Everglades Plat No.12", is undertaking the Southport Turning Notch Extension and Crane Infrastructure Improvements Project in the Southport section of Port Everglades in accordance with its 5-Year Port Everglades Master Plan; and

WHEREAS, Broward County has submitted application VA-19-02 for review and approval to vacate the subject 70' wide private access easement within the Plat of "Port Everglades Plat No. 12", as recorded in the Public Records of Broward County, Florida and attached as Exhibit "A"; and

WHEREAS, on February 21, 2018, the City Commission passed and adopted Resolution No. R-2018-052 that amended the land use for the platted properties from Industrial Use to Roads and Conservation Easement; and

WHEREAS, the subject 70' wide private access easement is described in the attached Exhibit "B" and is no longer required due to the land use change; and

WHEREAS, in accordance with Section 155.16(B)(1)(c) of the Code of Ordinances, the Architecture, Engineering and Mobility Division ("Division") has processed Broward County's application, and as part of the process, the Division has notified the applicable utility companies and agencies of this request; and

WHEREAS, following analysis of the application, the Division has determined that the vacation is consistent with the requirements set forth in Section 155.16(B) of the Code of Ordinances and is recommending that the City Commission approve the vacation request; and

WHEREAS, the City Commission, after review of the recommendations of staff and consideration of this issue, has determined that the subject 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; and

WHEREAS, the City Commission has further determined that the proposed vacation request may be considered in the best interest of the citizens of Hollywood.

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 hereby vacates the subject 70' private access easement located within the "Port Everglades Plat No. 12" Plat recorded at Plat Book 153, Page 31, as more particularly described in the attached Exhibit "B".

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.

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DOUGLAS R. GONZALES  
CITY ATTORNEY