

ORDINANCE NO. 2022-001

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED 49 STREET RIGHT-OF-WAY RECORDED IN O.R. BOOK 38262, PAGE 1888 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING A PORTION OF PARCEL "B," ALDERMAN PARCELS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 172, PAGE 12 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; GENERALLY DESCRIBED AS A PORTION OF SW 49 STREET EXTENDING 330 FEET ON EITHER SIDE OF SW 192 TERRACE; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (APPLICATION NO. VC-29-21)

WHEREAS, Babu and Asha Varghese and Southwest Concepts, LLC ("Petitioners") seek to vacate the road right-of-way described in Exhibit "A" hereto; and

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida ("Town Council") finds that the unimproved right-of-way is not used to access adjoining properties; and

WHEREAS, the Town Council finds that all properties adjoining the subject right-of-way have alternate means of access; and

WHEREAS, the Town Council finds that the right-of-way is not needed for any public purpose, and that the vacation request will not otherwise conflict with the health, safety, and welfare of Town residents.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. Adoption of recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Right-of-way vacation. The Town Council hereby authorizes the vacation and abandonment of the right-of-way described in Exhibit "A," which is attached hereto and made a part hereof.

Section 3. Effectuation. The Town Attorney, Town Administrator and Mayor are hereby authorized to prepare and execute any and all documents necessary to effectuate the intent of this Ordinance.

Section 4. Recordation. The Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida.

Section 5. Conflict. All ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. Severability. If any word, phrase, clause, sentence, or section of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 7. Effective date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 23rd day of September, 2021 on a motion made by Vice Mayor Hartmann and seconded by Council Member Jablonski.

PASSED ON SECOND READING this this 14th day of October 2021 on a motion made by Council Member Jablonski and seconded by Vice Mayor Hartmann.

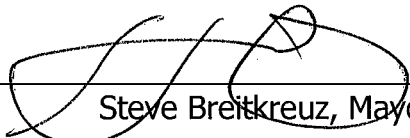
[Signatures are on Following Page]

Breitkreuz
Hartmann
Allbritton
Jablonski
Kuczenski

Yes
Yes
Yes
Yes
Yes

Ayes
Nays
Absent
Abstaining

5
0
0
0


Steve Breitkreuz, Mayor

Attest:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

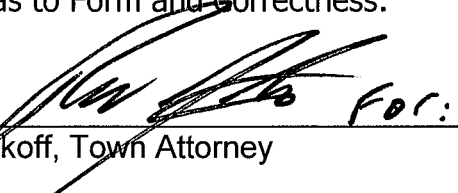
 For:
Keith Poliakoff, Town Attorney
1001.438.01

EXHIBIT 'A'

SKETCH AND LEGAL DESCRIPTION OF VACATED RIGHT-OF-WAY

(ATTACHED)

EXHIBIT "A"

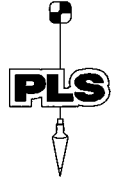
SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • E-MAIL: surveys@pulicelandsurveyors.com
CERTIFICATE OF AUTHORIZATION LB#3870

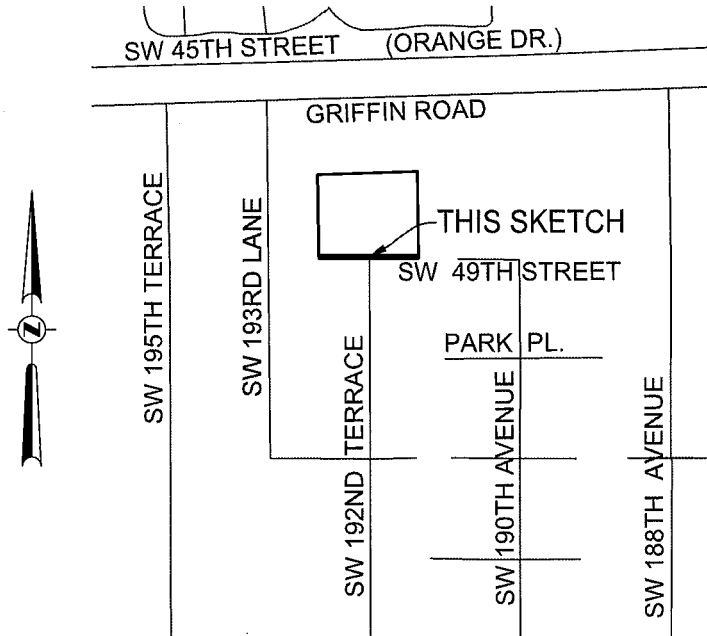


LEGAL DESCRIPTION: 20 FOOT RIGHT-OF-WAY TO BE VACATED

THE NORTH 20 FEET OF THE 35 FOOT WIDE RIGHT-OF-WAY DEDICATION AND UTILITY AND DRAINAGE EASEMENT RECORDED IN QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK 38262, PAGE 1888 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 20.00 FEET OF THE SOUTH 35.00 FEET OF PARCEL "B", "ALDERMAN PARCELS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 172, PAGE 12 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA AND CONTAINING 13,219 SQUARE FEET (0.3035 ACRES), MORE OR LESS.



LOCATION MAP

NOT TO SCALE

NOTES:

1. BEARINGS ARE BASED ON AN ASSUMED MERIDIAN WITH THE SOUTH LINE OF PARCEL "B" BEING S89°55'38"W.
2. THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ELECTRONIC SIGNATURE AND ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FILE: ABTECH ENGINEERING, INC.

SCALE: N/A

DRAWN: LS/DCW/BB

ORDER NO.: 68158

DATE: 2/16/21; REVISED 7/22/21

20' RIGHT-OF-WAY VACATION, SW 49TH ST

SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA

FOR: ALDERMAN PARCELS

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

John F Pulice Digitally signed by John F Pulice
Date: 2021.07.28 14:15:58 -04'00'

- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
- BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
- VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
- DONNA C. WEST, PROFESSIONAL SURVEYOR AND MAPPER LS4290
STATE OF FLORIDA

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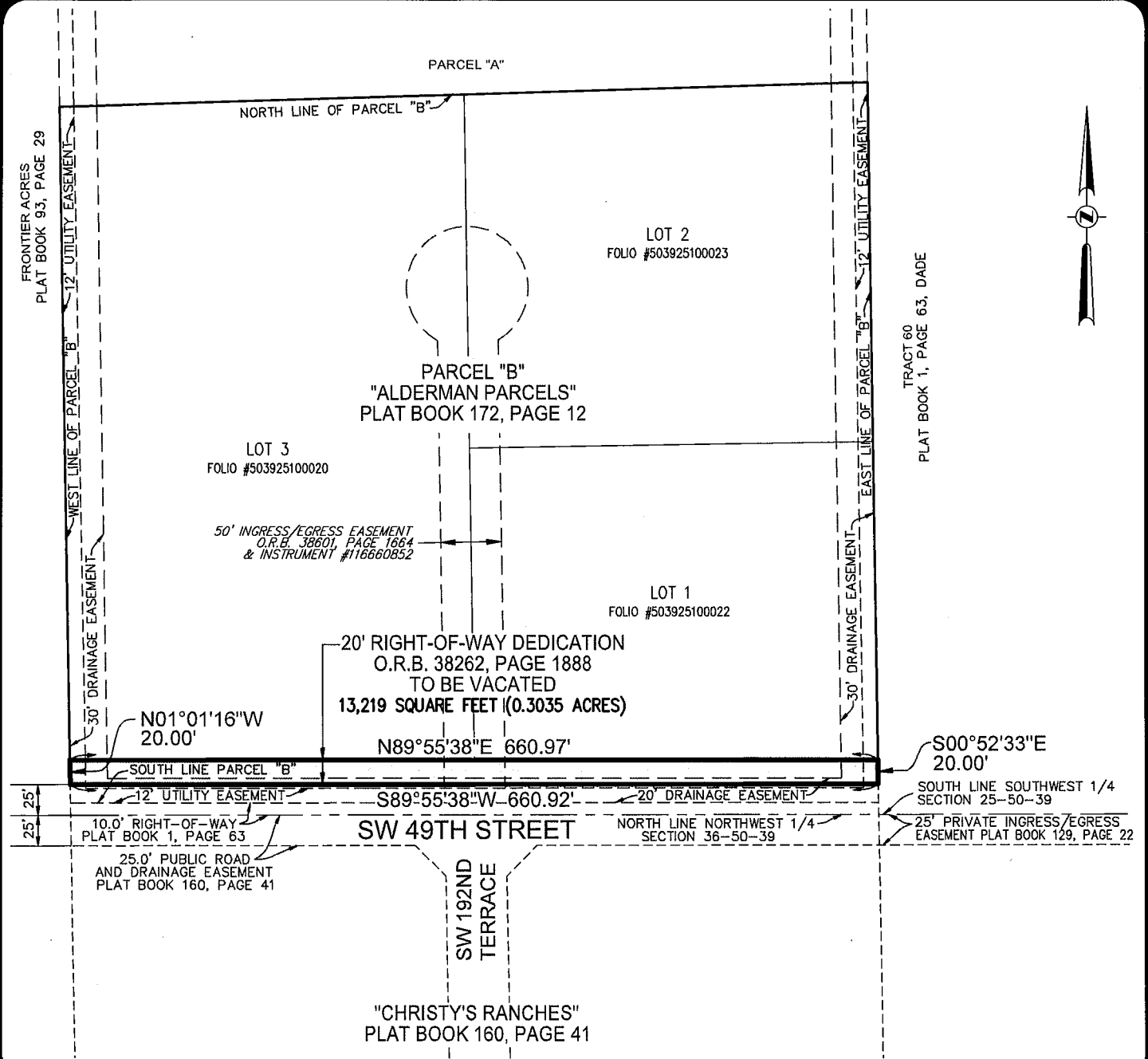
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CERTIFICATE OF AUTHORIZATION LB#3870



FILE: ABTECH ENGINEERING, INC.

SCALE: 1"=120' | DRAWN: LS/DCW/BB

ORDER NO.: 68158

DATE: 2/16/21; REVISED 7/22/21

20' RIGHT-OF-WAY VACATION, SW 49TH ST

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FOR: ALDERMAN PARCELS

SHEET 2 OF 2

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LEGEND:

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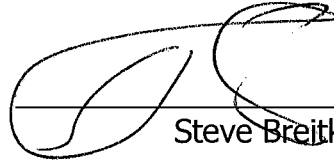
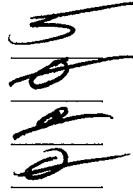
PASSED ON SECOND READING this this 14th day of October 2021 on a motion made by Council Member Jablonski and seconded by Vice Mayor Hartmann.

[Signatures are on Following Page]

Breitkreuz
Hartmann
Allbritton
Jablonski
Kuczenski



Ayes
Nays
Absent
Abstaining



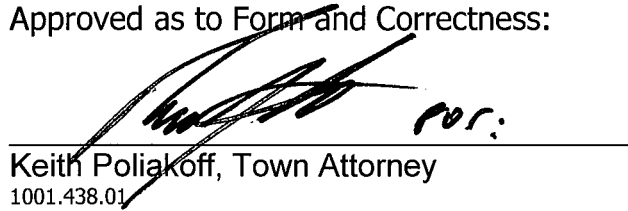
Steve Breitkreuz, Mayor

Attest:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



for:

Keith Poliakov, Town Attorney
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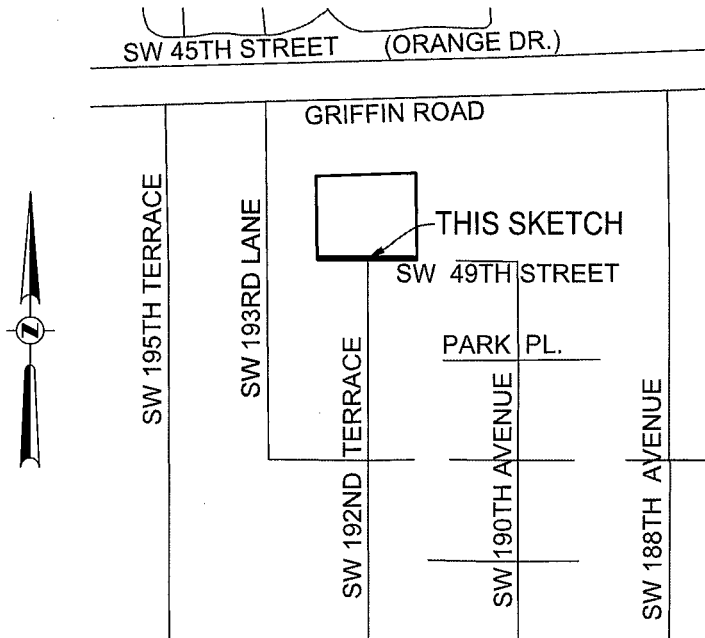


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SCALE: N/A

DRAWN: LS/DCW/BB

ORDER NO.: 68158

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20' RIGHT-OF-WAY VACATION, SW 49TH ST

SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA

FOR: ALDERMAN PARCELS

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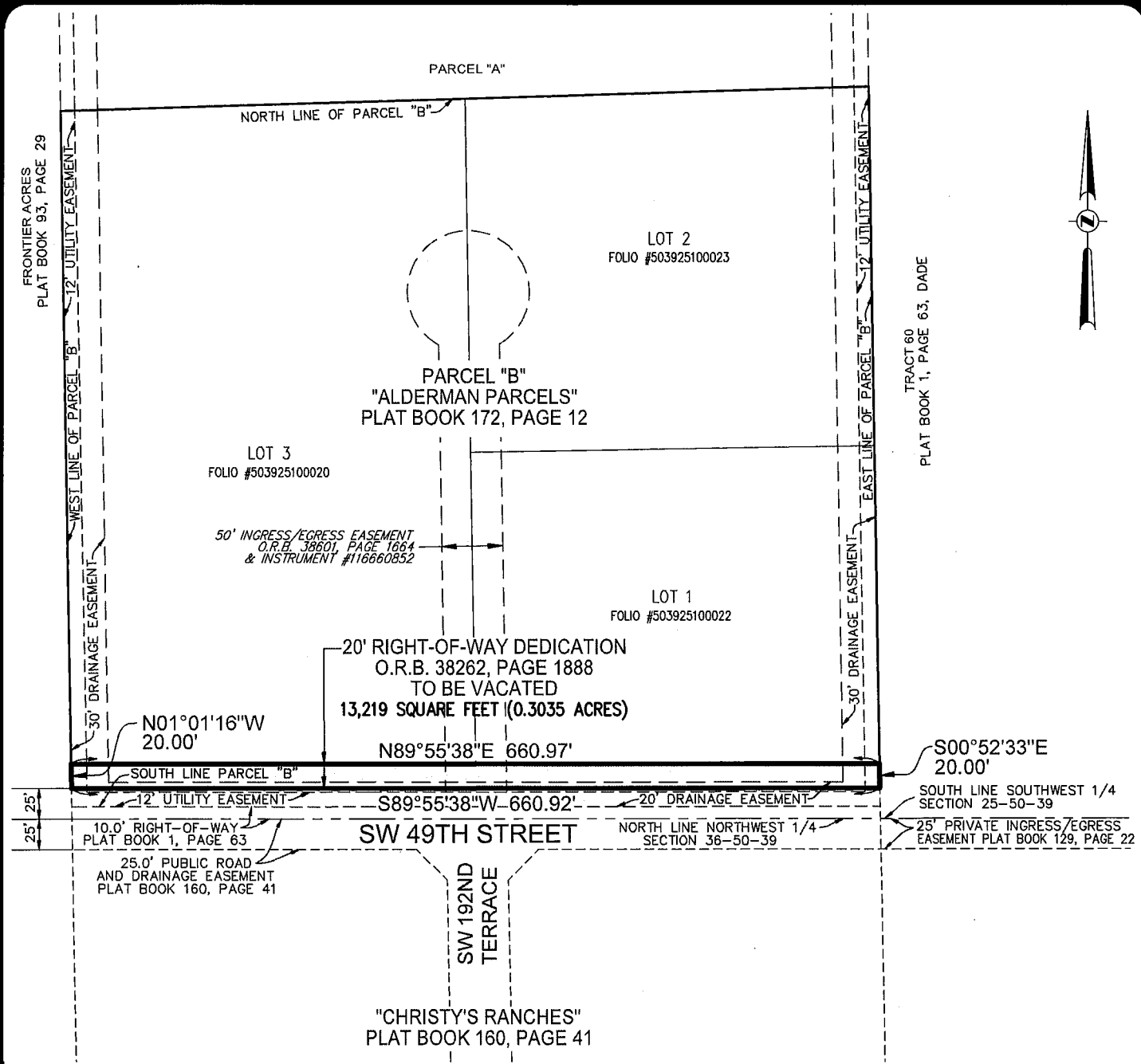
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