

**ORDINANCE NO. 2022-002**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED ROAD EASEMENT RECORDED IN O.R. BOOK 19831, PAGE 475 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING A PORTION OF TRACT 64 IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA; GENERALLY DESCRIBED AS A PORTION OF SW 54<sup>TH</sup> PLACE BETWEEN SW 207 TERRACE AND SW 208 LANE AND A PORTION OF SW 207<sup>TH</sup> TERRACE EXTENDING APPROXIMATELY 650 FEET NORTH OF SW 54 PLACE; 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-30-21)**

**WHEREAS**, Mary Katherine Boyett-Martell and Lawrence Martell ("Petitioners") seek to vacate the road easement described in Exhibit "A" hereto; and

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

**WHEREAS**, the Town Council finds that all properties adjoining the subject easement have alternate means of access; and

**WHEREAS**, the Town Council finds that the subject easement 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 easement 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 23<sup>rd</sup> day of September 2021 on a motion made by Council Member Jablonski and seconded by Council Member Kuczenski.

**PASSED ON SECOND READING** this this 14<sup>th</sup> day of October 2021 on a motion made by Council Member Jablonski and seconded by Council Member Kuczenski.

**[Signatures are on Following Page]**

Breitkreuz  
Hartmann  
Allbritton  
Jablonski  
Kuczynski

*[Handwritten signatures for Breitkreuz, Hartmann, Allbritton, Jablonski, and Kuczynski]*

Ayes  
Nays  
Absent  
Abstaining

5  
0  
0  
0

*[Handwritten signature of Steve Breitkreuz]*

Steve Breitkreuz, Mayor

Attest:

*[Handwritten signature of Russell Muñiz]*

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

*[Handwritten signature of Keith Pollakoff]*

Keith Pollakoff, Town Attorney  
1001.436.01

**EXHIBIT 'A'**

SKETCH AND LEGAL DESCRIPTION OF VACATED EASEMENT

(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:

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BEGINNING AT THE SOUTHEAST CORNER OF TRACT A, "VALDES PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 153, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 89°48'28" EAST 30.00 FEET; ALONG THE NORTH LINE OF SAID TRACT 64, ALSO BEING THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID TRACT A TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 207th TERRACE, ALSO BEING THE EAST LINE OF SAID TRACT 64, LYING 10 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 00°13'54" EAST ALONG SAID WEST RIGHT-OF-WAY LINE AND SAID EAST LINE 635.74 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SW 54th PLACE, BEING A LINE LYING 15 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID TRACT 64, ALSO BEING A LINE LYING 25 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 34; THENCE SOUTH 89°49'12" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND SAID PARALLEL LINE 269.66 FEET TO A POINT ON THE EASTERLY LINE OF THE RIGHT-OF-WAY DEDICATION RECORDED IN OFFICIAL RECORDS BOOK 45420, PAGE 35 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 45°12'06" WEST ALONG SAID EASTERLY LINE 21.22 FEET; THENCE THE FOLLOWING THREE (3) COURSES BEING ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF SAID ROAD EASEMENT, 1) NORTH 89°49'12" EAST, ALONG A LINE LYING 15 FEET NORTH OF AND PARALLEL TO THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE 224.64 FEET; 2) NORTH 44°47'39" EAST 42.45 FEET; 3) NORTH 00°13'54" WEST ALONG A LINE LYING 30 FEET WEST OF AND PARALLEL TO THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE 590.71 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA AND CONTAINING 23,230 SQUARE FEET, MORE OR LESS.

## NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, UNLESS OTHERWISE NOTED.
- 4) BEARINGS ARE BASED ON NAD83(1990 ADJUSTMENT) FL-EAST ZONE WITH THE SOUTH LINE OF THE NE 1/4 OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST BEING S89°48'28"W

FILE: MARY MARTELL

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 68515A

DATE: 5/9/21

ROAD EASEMENT VACATION

SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA

FOR: MARY MARTELL

SHEET 1 OF 2

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

- 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

**EXHIBIT "A"**

SKETCH AND LEGAL DESCRIPTION

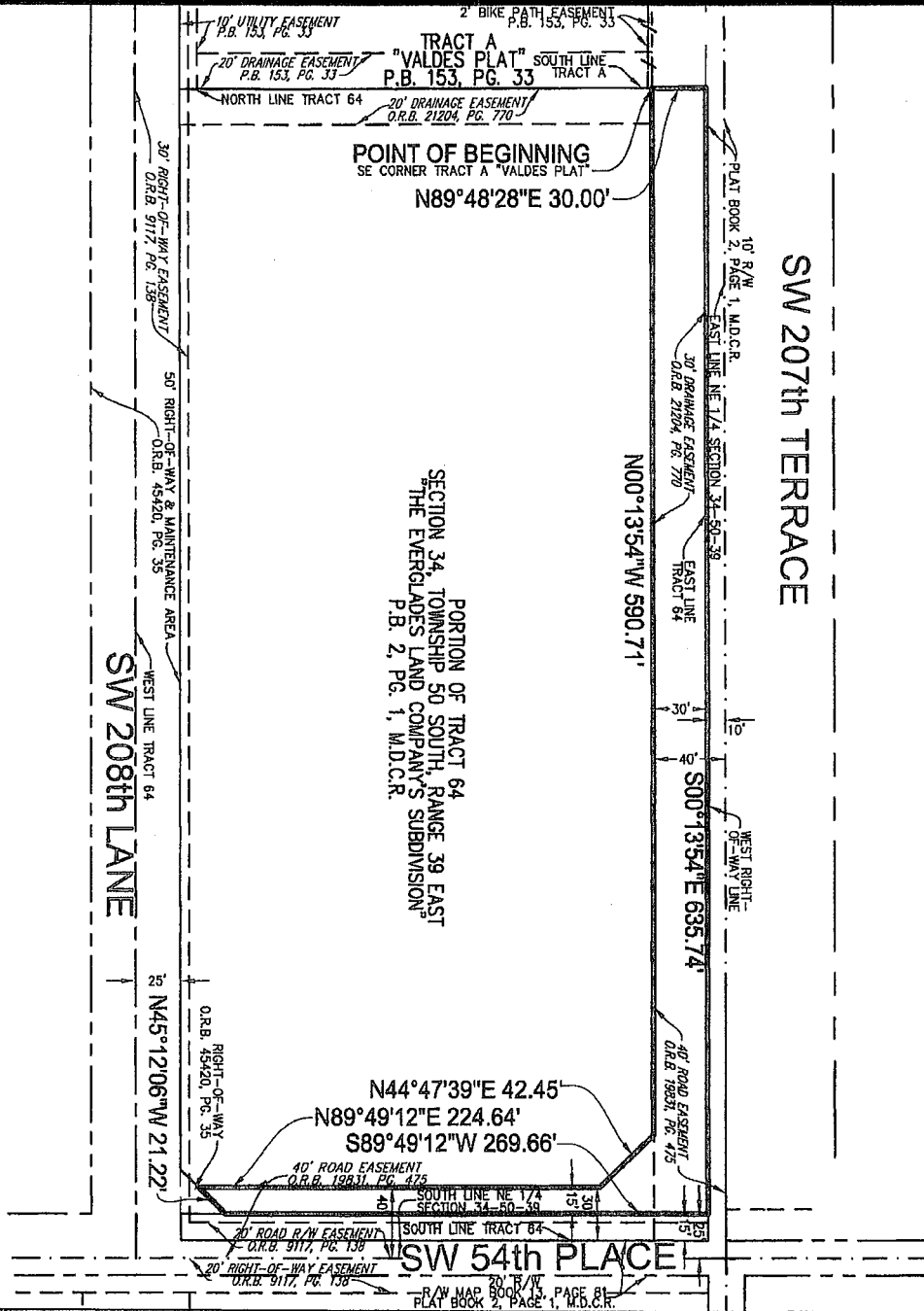
BY

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CERTIFICATE OF AUTHORIZATION LB#3870



SW 207th TERRACE

SW 208th LANE

SW 54th PLACE

FILE: MARY MARTELL

SCALE: 1"=20'      DRAWN: L.S.

ORDER NO.: 68515A

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FOR: MARY MARTELL

SHEET 2 OF 2

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**LEGEND:**

- P.B.      PLAT BOOK
- PG.      PAGE
- O.R.B.    OFFICIAL RECORDS BOOK
- R/W      RIGHT-OF-WAY

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**[Signatures are on Following Page]**



Breitkreuz  
Hartmann  
Allbritton  
Jablonski  
Kuczynski

*Yes*  
*Yes*  
*Yes*  
*Yes*  
*Yes*

Ayes  
Nays  
Absent  
Abstaining

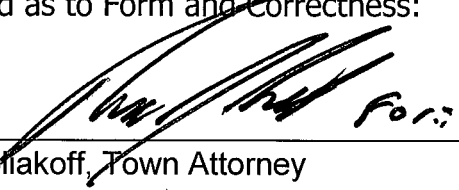
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Steve Breitkreuz, Mayor

Attest:

  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
Keith Poflakoff, Town Attorney  
1001.436.01

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**FILE: MARY MARTELL**

**SCALE: N/A**

**DRAWN: L.S.**

**ORDER NO.: 68515A**

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**SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA**

**FOR: MARY MARTELL**

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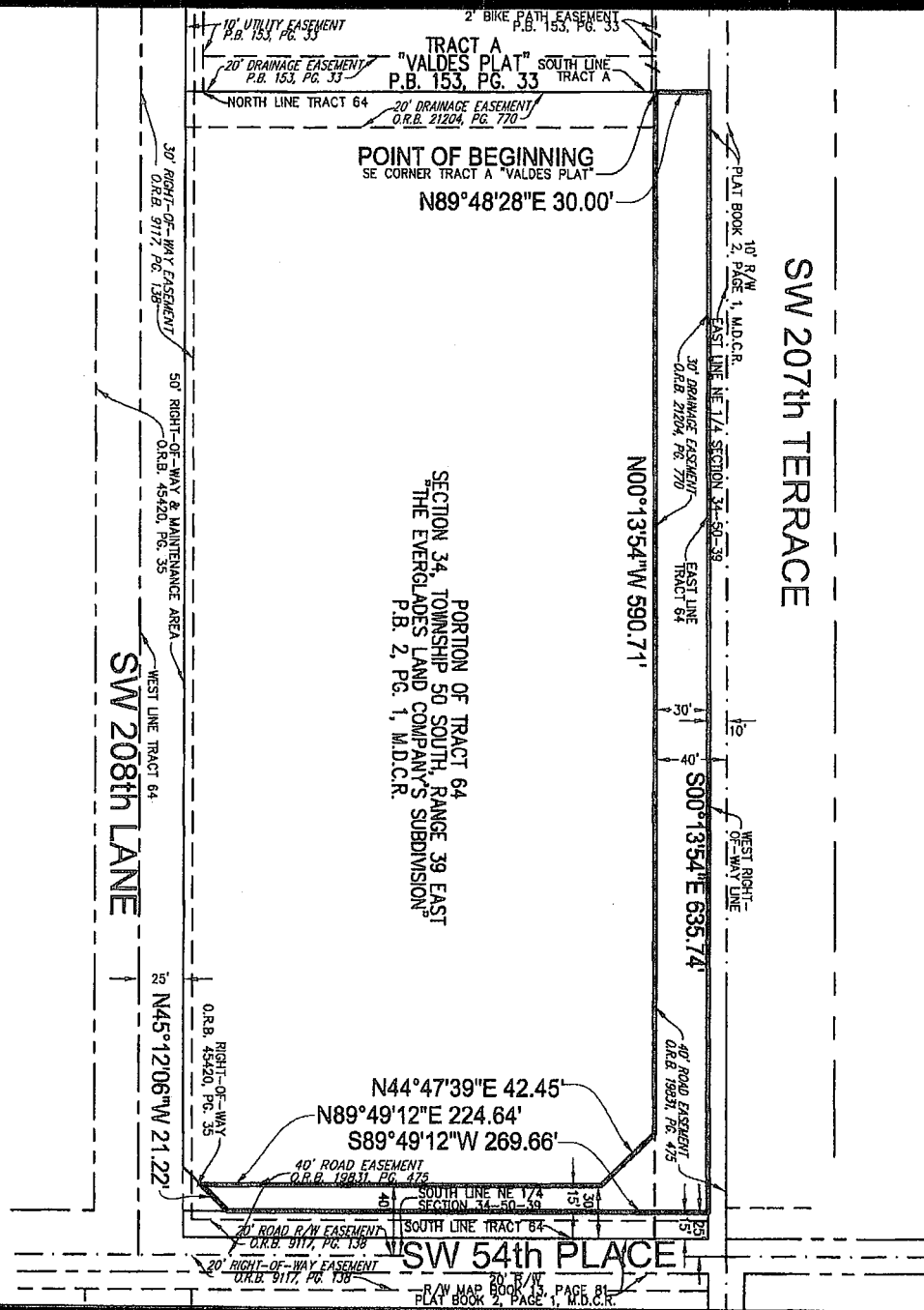
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