

PROPOSED RESOLUTION NO. 2023-R-04

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, VACATING THE FIFTEEN (15') FOOT UTILITY EASEMENT ALONG THE WESTERN EDGE OF THE MINNAUGH PLAT, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the platting process, a fifteen foot (15') utility easement was dedicated along the western edge of the Minnaugh Plat, as recorded in Plat Book 164, Page 25 of the Broward County Records, as more particularly described in **Exhibit "A"**, which is attached hereto and incorporated herein; and

WHEREAS, the current property owner is requesting the City vacate the fifteen (15') foot utility easement in order to construct certain improvements; and

WHEREAS, the City has received and reviewed letters submitted by all utility companies indicating no objection to the vacation of this fifteen (15') foot utility easement; and

WHEREAS, the City of Pembroke Pines has not installed facilities in this utility easement; and

WHEREAS, the City's Public Services and Engineering Divisions recommend that the City vacate this fifteen (15') foot utility easement; and

WHEREAS, the City desires to vacate the fifteen (15') foot utility easement dedicated along the western edge of the Minnaugh Plat, as more particularly described in **Exhibit "A,"** which is attached hereto and incorporated herein.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits referenced herein and attached hereto are hereby incorporated herein.

Section 2. The City Commission of the City of Pembroke Pines, Florida, hereby vacates the fifteen (15') foot utility easement dedicated along the western edge of the Minnaugh Plat along, as recorded in Plat Book 164, Page 25 of the Broward County Records, as more particularly described in **Exhibit "A."**

Section 3. The City Commission of the City of Pembroke Pines, Florida, hereby directs the City Clerk to record a copy of this Resolution in the Public Records of Broward County, Florida.

Section 4. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS ____ DAY OF _____, 2023.

CITY OF PEMBROKE PINES, FLORIDA

By: _____
MAYOR FRANK C. ORTIS

ATTEST:

MARLENE GRAHAM
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ORTIS _____

CASTILLO _____

SCHWARTZ _____

GOOD _____

SIPLE _____