

1 RESOLUTION NO. 2018-

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 APPROVING THE CONVEYANCE OF CERTAIN PARCELS  
5 OF COUNTY-OWNED LAND TO THE TOWN OF  
6 LAUDERDALE-BY-THE-SEA FOR RIGHT-OF-WAY  
7 PURPOSES; AND PROVIDING FOR SEVERABILITY AND  
8 AN EFFECTIVE DATE.

9 WHEREAS, Broward County ("County") owns title to certain parcels of real  
10 property located in Lauderdale-By-The-Sea, Florida, identified as folio numbers 4943-  
11 07-00-0420 and 4943-18-01-4160 (the "Properties"), as more particularly described in  
12 the legal descriptions within the quitclaim deeds, attached hereto and made a part  
13 hereof as Attachment 1 ("Quitclaim Deed A") and Attachment 2 ("Quitclaim Deed B");  
14 and

15 WHEREAS, the Town of Lauderdale-By-The-Sea ("Town"), a Florida municipal  
16 corporation, desires to acquire the Properties for right-of-way purposes; and

17 WHEREAS, the Town Commission of the Town of Lauderdale-By-The-Sea, at a  
18 regular meeting held on March 27, 2018 ("Town Commission Meeting"), authorized the  
19 Town Manager to notify the County that the Town will accept the conveyance of the  
20 Properties for right-of-way purposes, and to execute any necessary documents for such  
21 conveyance; and

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1           WHEREAS, pursuant to the Town Commission Meeting, the Town Manager gave  
2 the County written notification of the Town's intent to accept the conveyance of the  
3 Properties for right-of-way purposes; and  
4

5           WHEREAS, Section 335.0415, Florida Statutes, provides that public roads, with  
6 the mutual agreement of the affected governmental entities, may be transferred  
7 between jurisdictions; and  
8

9           WHEREAS, the Board of County Commissioners of Broward County, Florida  
10 ("Board"), has determined that the conveyance of the Properties to the Town for right-of-  
11 way purposes serves a public purpose and is in the best interest of the County, NOW,  
12 THEREFORE,  
13

14           BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
15 BROWARD COUNTY, FLORIDA:  
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17           Section 1.   The recitals set forth in the preamble to this Resolution are true,  
18 accurate, and incorporated by reference herein as though set forth in full hereunder.  
19

20           Section 2.   The Board authorizes the conveyance of the Properties to the Town  
21 for right-of-way purposes.  
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23           Section 3.   The Board authorizes the Mayor or Vice-Mayor of the Board to  
24 execute Quitclaim Deed A, in the form of the attached Attachment 1, and Quitclaim

1 Deed B, in the form of the attached Attachment 2, and the County Administrator to  
2 attest to the execution.

3  
4 Section 4. Quitclaim Deed A and Quitclaim Deed B shall be properly recorded  
5 in the Public Records of Broward County, Florida.

6  
7 Section 5. SEVERABILITY.

8 If any portion of this Resolution is determined by any Court to be invalid, the  
9 invalid portion shall be stricken, and such striking shall not affect the validity of the  
10 remainder of this Resolution. If any Court determines that this Resolution, or any  
11 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),  
12 property(ies), or circumstance(s), such determination shall not affect the applicability  
13 hereof to any other individual, group, entity, property, or circumstance.

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19 [REMAINDER OF PAGE LEFT INTERNATIONALLY BLANK]  
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1 Section 6. EFFECTIVE DATE.

2 This Resolution shall become effective upon adoption.

3  
4 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

5  
6 Approved as to form and legal sufficiency:  
7 Andrew J. Meyers, County Attorney

8  
9 By /s/  04/10/18  
10 Irma Qureshi (date)  
11 Assistant County Attorney

12 By /s/  04/10/18  
13 Annika E. Ashton (date)  
14 Senior Assistant County Attorney

15  
16  
17  
18  
19  
20  
21  
22  
23 IQ/mdw  
04/10/18  
24 Lauderdale-By-The-Sea Roadways.doc  
#288919

Return recorded copy to:  
Broward County Facilities Management Division  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, FL 33301

This document prepared by  
and approved as to form by:  
Irma Qureshi  
Broward County Attorney's Office  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, FL 33301

Folio: 4943-07-00-0420

**QUITCLAIM DEED**

(Pursuant to Sections 125.411, Florida Statutes)

THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_, 2018, by **BROWARD COUNTY, a political subdivision of the State of Florida** (the "GRANTOR"), whose address is Governmental Center, Room 423, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, and **Town of Lauderdale-By-The-Sea, a Florida municipal corporation** (the "GRANTEE"), whose address is 4501 North Ocean Drive, Lauderdale-By-The-Sea, Florida 33308.

(The terms "GRANTOR" and "GRANTEE" as used herein shall refer to the respective parties, and the heirs, personal representatives, successors, and assigns of such parties.)

W I T N E S S E T H:

That GRANTOR, for and in consideration of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto GRANTEE, its successors and assigns, forever, all of GRANTOR's rights, title, and interest, if any, in and to the following described lands, lying and being in Broward County, Florida, to wit:

**The South 50 Feet of the North 1911.75 Feet of that portion of Government Lot 1, Section T, Township 49 South, Range 43 East, lying West of the West right of way of State Road A1A, of the Public Records of Broward County.**

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit, and behalf of the said GRANTEE forever. Provided, that if the GRANTEE shall fail to use and maintain the property for right-of-way purposes and ancillary or incidental uses thereto, then the entire land shall revert to GRANTOR.

**THIS CONVEYANCE IS SUBJECT TO** all zoning rules, regulations, and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Property conveyed herein; existing public purpose utility and government easements and rights of way and other matters of record; and real estate taxes for this year 2018 and all subsequent years.

IN WITNESS WHEREOF, GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice-Mayor of said Board, the day and year aforesaid.

GRANTOR

(Official Seal)  
ATTEST:

BROWARD COUNTY, by and through  
its Board of County Commissioners

\_\_\_\_\_  
Broward County Administrator, as  
Ex-Officio Clerk of the Broward County  
Board of County Commissioners

By \_\_\_\_\_  
Mayor

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By:  4/10/18  
Irma Qureshi (Date)  
Assistant County Attorney

By:  4/10/18  
Annika E. Ashton (Date)  
Senior Assistant County Attorney

REF: Approved BCC \_\_\_\_\_ Item No: \_\_\_\_\_  
Return to BC Real Property Section

IQ/mdw  
04/10/18  
289101

Return recorded copy to:  
Broward County Facilities Management Division  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, FL 33301

This document prepared by  
and approved as to form by:  
Irma Qureshi  
Broward County Attorney's Office  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, FL 33301

Folio: 4943-18-01-4160

**QUITCLAIM DEED**

(Pursuant to Sections 125.411, Florida Statutes)

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(The terms "GRANTOR" and "GRANTEE" as used herein shall refer to the respective parties, and the heirs, personal representatives, successors, and assigns of such parties.)

WITNESSETH:

That GRANTOR, for and in consideration of TEN DOLLARS (\$10.00) and other valuable considerations, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto GRANTEE, its successors and assigns, forever, all of GRANTOR's rights, title, and interest, if any, in and to the following described lands, lying and being in Broward County, Florida, to wit:

**Lot Twenty-one (21), Block Twenty-eight (28), LAUDERDALE BY THE SEA, according to plat recorded in Plat Book 6, Page 2, of the Public Records of Broward County, Florida.**

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit, and behalf of the said GRANTEE forever. Provided, that if the GRANTEE shall fail to use and maintain the property for right-of-way purposes and ancillary or incidental uses thereto, then the entire land shall revert to GRANTOR.

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GRANTOR

(Official Seal)  
ATTEST:

BROWARD COUNTY, by and through  
its Board of County Commissioners


\_\_\_\_\_  
Broward County Administrator, as  
Ex-Officio Clerk of the Broward County  
Board of County Commissioners

By \_\_\_\_\_  
Mayor

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

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By:  4/10/18  
Annika E. Ashton (Date)  
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IQ/mdw  
04/10/18  
289583