

1 Return recorded document to:

2 Planning and Development Management Division
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5 Document prepared by:

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RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
AMENDING THE NOTATION ON THE FACE OF THE
PORT EVERGLADES PLAT NO. 11 (155-MP-88); AND
PROVIDING FOR SEVERABILITY, RECORDING, AND
AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") is the owner of a certain parcel of land known as Port Everglades Plat No. 11 (155-MP-88), recorded in Plat Book 144, Page 4, of the public records of Broward County, Florida, located on the east side of McIntosh Road, south of Eller Drive, in the City of Hollywood, and containing 179.1 acres ("Plat"); and

WHEREAS, on September 19, 1989, the Board of County Commissioners of Broward County ("Board") approved the Plat with a notation indicating approval of development of a container transfer facility; and

WHEREAS, on November 16, 1992, the Board approved an amendment to the notation on the face of the Plat, providing that the container transfer facility was to

1 consist of 309,918 square feet of warehouse use (250,000 square feet proposed,
2 59,918 square feet existing); and

3 WHEREAS, the County has determined that there exists a need for an
4 amendment to said notation to parcelize the property within the Plat as Parcels A-1 and
5 A-2; update the terminology for the 309,918 square feet of warehouse use to
6 309,918 square feet industrial use; allocate the container transfer facility with
7 309,918 square feet of industrial use to Parcel A-1; and restrict Parcel A-2 to
8 conservation area; and

9 WHEREAS, Chapter 5, Article IX, of the Broward County Code of Ordinances,
10 "Land Development Code," authorizes the Board to amend notations on the face of
11 plats, NOW, THEREFORE,

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13 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
14 BROWARD COUNTY, FLORIDA:

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16 Section 1. AMENDMENT TO THE NOTATION ON THE FACE OF THE PLAT.

17 The Board of County Commissioners hereby states that the notation on the face
18 of Port Everglades Plat No. 11 (155-MP-88), for the purpose of clarifying and limiting the
19 use of the Plat property, that reads:

20
21 This plat is restricted to a container transfer facility, with 309,918 square
22 feet of warehouse use (250,000 square feet proposed, 59,918 square feet
23 existing).

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1 is hereby amended to read as follows:

2 This plat is restricted to a container transfer facility with 309,918 square
3 feet of industrial use on Parcel A-1 and conservation area on Parcel A-2
4 (see attached legal descriptions of Parcels A-1 and A-2). Industrial uses
5 may have up to 30%-50% ancillary office or up to 30% ancillary
6 commercial/office use per bay or single tenant building upon satisfaction
7 of transportation concurrency fees. No freestanding office or commercial
8 uses are permitted without the approval of the Board of County
9 Commissioners which shall review and address these uses for increased
10 impacts.

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12 Section 2. SEVERABILITY.

13 If any portion of this Resolution is determined by any court to be invalid, the
14 invalid portion will be stricken, and such striking will not affect the validity of the
15 remainder of this Resolution. If any court determines that this Resolution, or any portion
16 hereof, cannot be legally applied to any individual, group, entity, property, or
17 circumstance, such determination will not affect the applicability hereof to any other
18 individual, group, entity, property, or circumstance.

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20 Section 3. RECORDING.

21 This Resolution will be recorded in the public records of Broward County and will
22 run with the property within the Plat.

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Section 4. EFFECTIVE DATE.

This Resolution is effective upon adoption.

ADOPTED this ____ day of _____, 2018.

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

By /s/ Maite Azcoitia 06/29/18
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
PortEverNo11-r01
06/29/18
#60053