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RESOLUTION NO. 2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ACCEPTING A ROAD EASEMENT ON, OVER, ACROSS, AND THROUGH A PORTION OF REAL PROPERTY OWNED BY HOUSING FOUNDATION OF AMERICA INC., AND LOCATED IN THE BROWARD COUNTY MUNICIPAL SERVICES DISTRICT, FLORIDA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Housing Foundation of America Inc., a Florida not-for-profit corporation, is the owner of certain real property located in the Broward County Municipal Services District, Florida ("Property"), which Property is more particularly described in the legal description and sketch made subject to the Road Easement, which is attached hereto and made a part hereof as Exhibit 1 ("Road Easement");

WHEREAS, Housing Foundation of American Inc. is willing to grant the Road Easement to Broward County, Florida ("County"), in accordance with the terms of the attached Road Easement; and

WHEREAS, the Board of County Commissioners of Broward County, Florida ("Board"), has determined that acceptance of the Road Easement serves a public purpose and is in the best interest of the County, NOW, THEREFORE,

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

Section 1. The recitals set forth in the preamble to this Resolution are true, accurate, and incorporated by reference herein as though set forth in full hereunder.

1 Section 2. The Board hereby accepts the Road Easement attached as  
2 Exhibit 1.

3 Section 3. The Road Easement shall be properly recorded in the Public  
4 Records of Broward County, Florida.

5 Section 4. Severability.

6 If any portion of this Resolution is determined by any court to be invalid, the invalid  
7 portion will be stricken, and such striking will not affect the validity of the remainder of this  
8 Resolution. If any court determines that this Resolution, in whole or in part, cannot be  
9 legally applied to any individual, group, entity, property, or circumstance, such  
10 determination will not affect the applicability of this Resolution to any other individual,  
11 group, entity, property, or circumstance.

12 Section 5. Effective Date.

13 This Resolution is effective upon adoption.

14  
15 ADOPTED this            day of            , 2019.

16  
17 Approved as to form and legal sufficiency:  
18 Andrew J. Meyers, County Attorney

19 By: /s/ Claudia Capdesuner 02/14/19  
20 Claudia Capdesuner  
21 Assistant County Attorney

22 By: /s/ Annika E. Ashton 02/14/19  
23 Annika E. Ashton  
24 Senior Assistant County Attorney

CC/mdw  
02/14/19  
Road Easement from Housing Foundation of America  
#414085.v1

Return to:  
Frank J. Guiliano, PSM  
Highway Construction and  
Engineering Division  
1 N. University Drive, Suite 300  
Plantation, FL 33324-2038

## Exhibit 1

This Instrument prepared by:  
Name: Attorneys Title Partners, Inc.  
Address: 2400 N. University Drive #200  
Pembroke Pines, FL 33024

### **ROAD EASEMENT** (Corporate)

**THIS INDENTURE**, made this 8th day of February, A.D., 2019, by Housing Foundation of America Inc., a Florida not for profit corporation existing under the laws of Florida and having its principal place of business at 2400 N. University Drive, Suite#200, Pembroke Pines, FL 33024, first party, to BROWARD COUNTY, a political subdivision of the State of FLORIDA, whose Post Office address is Broward County Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, second party:

(Wherever used herein the terms, "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires).

### **WITNESSETH**

**WHEREAS**, the first party is the owner of a property situated, lying and being in Broward County, Florida, and described as follows:

**See Exhibit "A" with accompanying sketch of description attached hereto and made a part thereof.**

and,

**WHEREAS**, the second party desires an easement for public roadway and/or other appropriate purposes incidental thereto, on, over and across said property,

and,

**WHEREAS**, the first party is willing to grant such an easement,

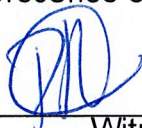
**NOW THEREFORE**, for and in consideration of the mutual covenants each to the other running and one dollar (\$1.00) and other good and valuable considerations, the first party does hereby grant unto the second party, its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild facilities for the above stated purposes and does hereby grant a perpetual easement on, over and across the above-described property for said purposes.

**ACKNOWLEDGEMENT**

**IN WITNESS WHEREOF**, the first party has caused these presents to be duly executed in its name and its corporate seal to be hereto affixed, attested by its proper officers thereunto duly authorized, the day and year first above written.

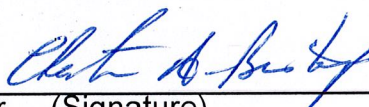
Signed, sealed and delivered in the presence of:

Housing Foundation of America, Inc.  
Corporation Name



\_\_\_\_\_  
Witness (Signature)

Patricia Green  
Print Name

By:   
\_\_\_\_\_  
Director (Signature)

Chester A. Bishop, Director  
Print Name



\_\_\_\_\_  
Witness (Signature)

Annlee Armstrong  
Print Name

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 8th day February, 2019, by Chester A. Bishop as Director of Housing Foundation of America, Inc. a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced as identification and did/did not take an oath.

(SEAL)



\_\_\_\_\_  
(Signature of person taking acknowledgment)

\_\_\_\_\_  
(Name of officer taking acknowledgment)  
**typed, printed or stamped**

\_\_\_\_\_  
(Title or rank)

\_\_\_\_\_  
(Serial number, if any)



My commission expires:  
Revised 10-18-95

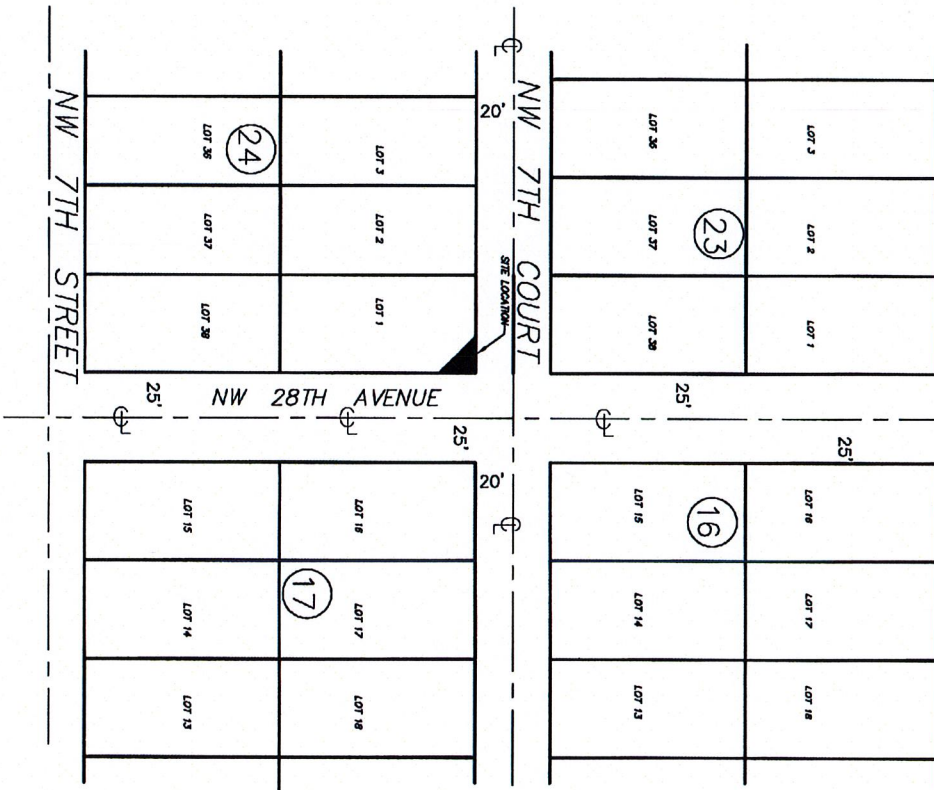
**EXHIBIT 'A'**  
ROAD EASEMENT  
IN  
LOT 1 BLOCK 24  
WASHINGTON PARK THIRD  
ADDITION  
PLAT BOOK 21 PAGE 43, B.C.R.

LEGAL DESCRIPTION:  
LOT 1, BLOCK 24, WASHINGTON PARK  
THIRD ADDITION, ACCORDING TO THE  
PLAT THEREOF, AS RECORDED IN PLAT  
BOOK 21, PAGE 43,  
PUBLIC RECORDS OF BROWARD  
COUNTY, FLORIDA.

A PORTION OF LOT 1, BLOCK 24,  
WASHINGTON PARK THIRD ADDITION,  
ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 21, AT PAGE  
43, OF THE PUBLIC RECORDS OF  
BROWARD COUNTY, FLORIDA, BEING  
MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:  
THAT PORTION OF LOT 1 LYING  
NORTHEAST OF THE CHORD OF A CURVE  
HAVING A RADIUS OF 20 FEET, SAID  
CURVE BEING TANGENT TO THE EAST  
LINE OF LOT 1 AND TANGENT TO THE  
NORTH LINE OF LOT 1 SAID LANDS  
SITUATE LYING AND BEING IN  
BROWARD COUNTY, FLORIDA AND  
CONTAIN 203 SQUARE FEET, MORE OR  
LESS.

- NOTES:
- A) THIS DRAWING NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  - B) BEARINGS ARE BASED ON THE NORTH LINE OF SAID LOT 1 HAVING AN ASSUMED BEARING OF NORTH 89° 36' 50" EAST.
  - C) CODE RESTRICTIONS(S) AND TITLE SEARCH ARE NOT REFLECTED ON THIS DRAWING.
  - D) THIS IS NOT A SURVEY, IT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.

JULIO S. PITTA, P. S. & M # 5789  
STATE OF FLORIDA  
NOT VALID UNLESS IMPRINTED WITH  
EMBOSSED SURVEYORS SEAL.



LOCATION SKETCH... N.T.S.  
SEE SHEET NO.2 FOR DETAIL  
NOT VALID WITHOUT SHEET NO.2

DATE 12/28/18  
SCALE N.T.S.  
DRAWN BY JLD  
CHECKED BY JLD  
DATE 1/1/19  
SHEET 1 OF 2

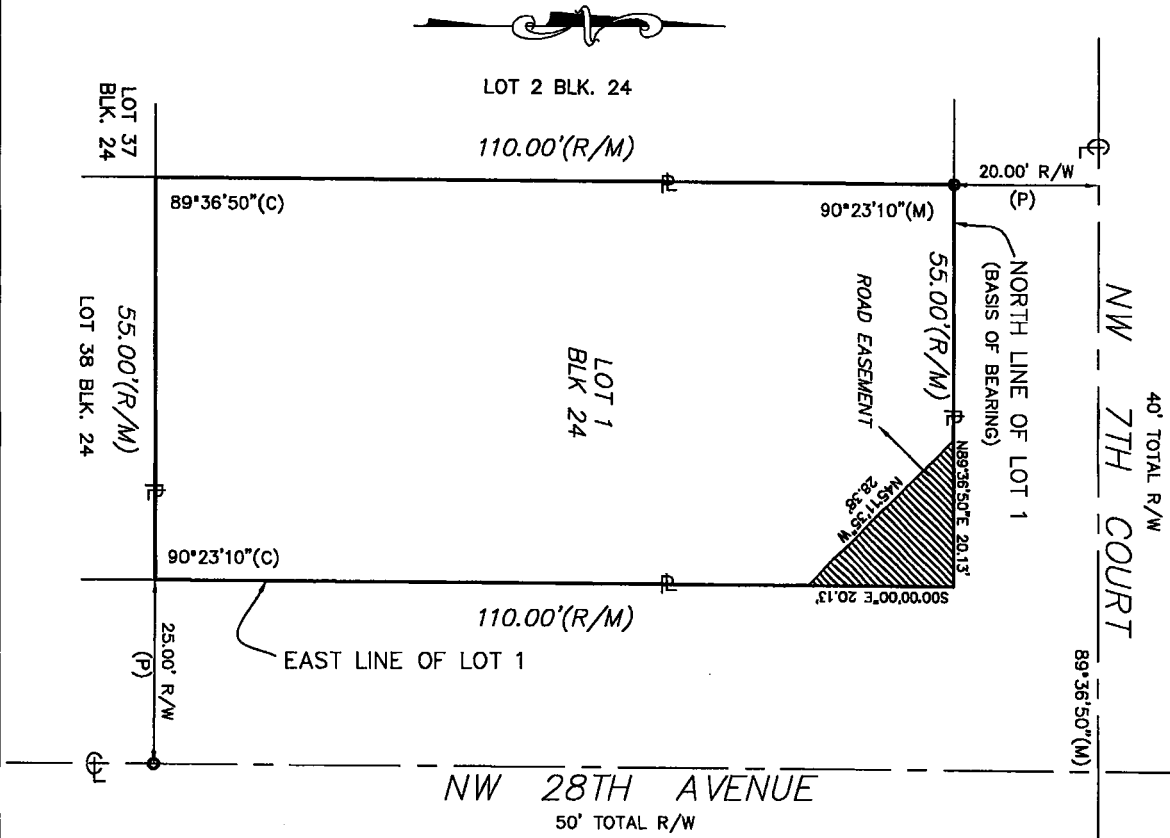
ROAD EASEMENT

THOMAS J. KELLY  
SURVEYORS-MAPPERS  
LAND PLANNERS  
L.B. # 8077

BY APPT. ONLY: 3321 SW 107 AVENUE, MIAMI, FLORIDA 33165  
MAILING ADDRESS: P.O. BOX 160369, MIAMI, FLORIDA 33116  
TEL:(786) 242-7692 DADE, (954) 779-3288 BRWD  
FAX:(786) 242-6494 DADE, (954) 779-3280 BRWD  
E-MAIL: tjksurveyor@gmail.com

**EXHIBIT 'A'**  
ROAD EASEMENT  
IN  
LOT 1 BLOCK 24  
WASHINGTON PARK THIRD  
ADDITION  
PLAT BOOK 21, PAGE 43, B.C.R.

NOT VALID WITHOUT SHEET  
NO. 1



**LEGEND**  
B.C.R. .... BROWARD COUNTY RECORD  
C/L ..... CENTER LINE  
(C) ..... CALCULATED  
(M) ..... MEASURED  
(P) ..... PLAT  
P.B. .... PLAT BOOK  
P.S. .... PROPERTY LINE  
P/R ..... PROBE RECORD  
(R/M) ..... RECORD AND MEASURED  
R/W ..... RIGHT-OF-WAY  
N.T.S. .... NOT TO SCALE

DWG. 12/28/16  
SCALE 1"=50'  
DRAWN BY JLD  
CHECKED BY JLD  
DATE 12/28/16  
SHEET 2 OF 2

ROAD EASEMENT

**THOMAS J. KELLY**  
SURVEYORS-MAPPERS  
LAND PLANNERS  
L.S. # 8377

BY APPT. ONLY: 3321 SW 107 AVENUE, MIAMI, FLORIDA 33185  
MAILING ADDRESS: P.O. BOX 160399, MIAMI, FLORIDA 33116  
TEL:(786) 242-7692 DADE, (854) 778-3288 BRWD  
FAX:(786) 242-6494 DADE, (854) 778-3260 BRWD  
E-MAIL: tjksurvey@gmail.com