

RESOLUTION NO. 2022- 166

CITY OF POMPANO BEACH
Broward County, Florida

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
 POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION
 NO. 2020-191 AND ACCEPTING A PERPETUAL FIRE ACCESS
 EASEMENT AND NONEXCLUSIVE UTILITY EASEMENT;
 PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Aloha Pompano, LLC is the owner of a parcel of real property and has agreed to a perpetual Fire Access Easement and nonexclusive Utility Easement to the City; and

WHEREAS, the City Commission has determined that the best interests of the public will be served by accepting and acquiring the rights being conveyed by the grants of easement; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Resolution No. 2020-191 is hereby rescinded in its entirety.

SECTION 2. That the City of Pompano Beach accepts the grants of easement from ALOHA Pompano, LLC for the property being described in the Fire Access Easement and Utility Easement, copies of which are attached and made a part of this Resolution as if set forth in full.

SECTION 3. That it is the determination of the City Commission of the City of Pompano Beach, Florida, that the acceptance and acquisition of the described property rights are for a public purpose.

SECTION 4. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 28th day of June, 2022.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

P&Z

Prepared by and return to:
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, Florida 33060

UTILITY EASEMENT

THIS UTILITY EASEMENT (this "Easement") is made and executed this 11th day of July, 2022, by Aloha Pompano, LLC, (the "Grantor"), having an address of 345 Ocean Drive #1102, Miami Beach, FL 33139, to the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, (the "Grantee"):

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships (including joint ventures), public bodies and quasi-public bodies.)

WITNESSETH:

WHEREAS, Grantor is lawfully seized in fee simple and is in possession of certain property situated in Broward County, Florida, (hereinafter referred to as "Property"); and

WHEREAS, Grantor desires to grant a non-exclusive utility easement in, on, over, under, through, and across the Property more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Easement Area").

NOW, THEREFORE, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby states as follows:

1. Grantor does hereby grant unto the Grantee, a perpetual non-exclusive utility easement to install, operate, repair and maintain in perpetuity such facilities and accessories as may be necessary to provide utility services in, on, over, under, through, and across the Easement Area, with the full and free right of ingress and egress over the Easement Area and portions of Grantor's adjoining property for the purpose of exercising the rights herein granted.

P&Z

2. Grantee shall have the right and privilege from time to time to construct, reconstruct, improve, maintain, repair, replace, relocate, inspect, add to, enlarge, change pressure, as well as the size of, and to remove such utility facilities, accessories or any of them, all for public utilities purposes, together with the right to permit any other person, firm or corporation to any of the facilities or accessories along with the right of ingress and egress to Easement Area and over portions of Grantor's adjoining property.

3. Grantee shall have the right to keep the Easement Area cleared of obstructions and Grantee shall have the right to trim, cut and/or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions, which in the opinion of Grantee, might interfere or fall upon the facilities.

4. Grantor shall not erect or place any building, structure, obstruction, landscaping or tree on or inside the Easement Area, without Grantee's prior written permission so as to not compromise the integrity of the CITY's public utility infrastructure.

5. The Easement granted shall be binding upon the Grantor and its successors and assigns. This Easement shall not be released or amended in any manner without the written consent of Grantee, except as otherwise provided herein.

6. All provisions of this Easement, including the benefits and burdens, run with the land and are binding upon and inure to the heirs, assigns, successors, tenants, and personal representatives of the parties hereto.

7. Grantor warrants and covenants (a) that Grantor is the owner of the fee simple title to the property in which the above described Easement Area is located, (b) that Grantor has full right and lawful authority to grant and convey this Easement to Grantee, and (c) that Grantee shall have quiet and peaceful possession, use and enjoyment of this Easement.

IN WITNESS WHEREOF, the Grantor has caused this Easement to be executed in its name and by its duly authorized officers or representatives, as of the day and year first above written.

P&Z

"GRANTOR":

Witnesses:

Josh Tonnesen
JT

Print Name
Kristign Lastre
Print Name

CRISTIAN SANTUCHA, individual (s)

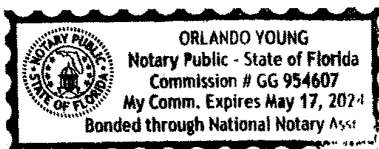
BY: [Signature]
Print Name: CRISTIAN A SANTUCHA

BY: _____
Print Name: _____

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 14 day of June 2022, by Christian Santucha as individual (s) who are known to me or who has produced Driver License (type of identification) as identification.

NOTARY'S SEAL:



[Signature]
NOTARY PUBLIC, STATE OF FLORIDA

Orlando Young
(Name of Acknowledger Typed, Printed or Stamped)

May 17, 2024
Commission Number

P&Z

The foregoing Easement and all of its agreements, terms, conditions and representations are hereby accepted at Pompano Beach, Florida, this 11th day of July, 2022.

CITY OF POMPANO BEACH

By: [Signature]
REX HARDIN, MAYOR

By: [Signature]
GREGORY P HARRISON, CITY MANAGER

Dated: July 11, 2022

Attest:

[Signature]
ASCELETA HAMMOND, CITY CLERK

(SEAL)

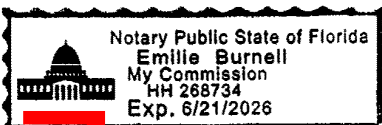
APPROVED AS TO FORM:

[Signature]
MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 11th day of July, 2022, by Rex Hardin, Mayor & Gregory Harrison, City Manager, who is personally known to me or who has produced N/A, as identification.

NOTARY'S SEAL:



[Signature]
NOTARY PUBLIC, STATE OF FLORIDA
Emilie Burnell
(Name of Acknowledger Typed, Printed or Stamped)
HH 268734
Commission Number

P&Z

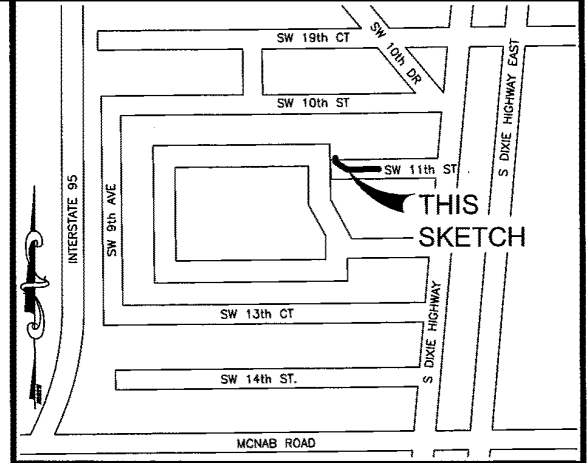
LEGAL DESCRIPTION:**Exhibit A**

A 15.00 FOOT UTILITY EASEMENT LYING UNDER, OVER AND ACROSS A PORTION OF MAGNOLIA DRIVE (NOW KNOWN AS SW 11TH STREET) AND A PORTION OF PALM TERRACE, BOTH AS SHOWN ON THE AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 8, BLOCK 1, AS SHOWN ON SAID PLAT; THENCE NORTH 00°21'14" EAST, 35.99 FEET TO THE POINT OF BEGINNING OF SAID 15.00 FEET WIDE EASEMENT LYING 7.50 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE; THENCE SOUTH 89°16'42" WEST, 208.25 FEET; THENCE NORTH 56°47'01" WEST, 88.25 FEET; THENCE NORTH 00°24'31" EAST, 30.03 FEET THE POINT OF TERMINUS OF SAID CENTERLINE.

EASEMENT SIDE LINES TO BE LENGTHENED OR SHORTENED TO MAINTAIN A CONTINUOUS 15.00 FOOT WIDE EASEMENT.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAIN 4,898 SQUARE FEET, MORE OR LESS.



LOCATION MAP:
NOT TO SCALE

SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR DIGITALLY ENCRYPTED SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 89°38'46" WEST ALONG THE NORTH LINE OF THE BLOCK 1, AMENDED PLAT OF FAIRVIEW, AS RECORDED IN PLAT BOOK 10, ON PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
8. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"=80' OR SMALLER.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JUNE 10, 2019 MEETS THE STANDARD OF PRACTICE (FORMERLY RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE), PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

LEE POWERS
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION No. 6805
STATE OF FLORIDA

SKETCH & DESCRIPTION
15' UTILITY EASEMENT

A PORTION OF MAGNOLIA DRIVE
(SW 11TH STREET) & PALM TERRACE
AMENDED PLAT OF FAIRVIEW
P.B. 10, PG. 25, B.C.R.

POMPANO BEACH BROWARD COUNTY FLORIDA



301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 10298.00 SKETCH & DESCRIPTION D4.dwg

DATE 6/10/19

SCALE 1"=80'

FIELD BK. 895

DWNG. BY DDB

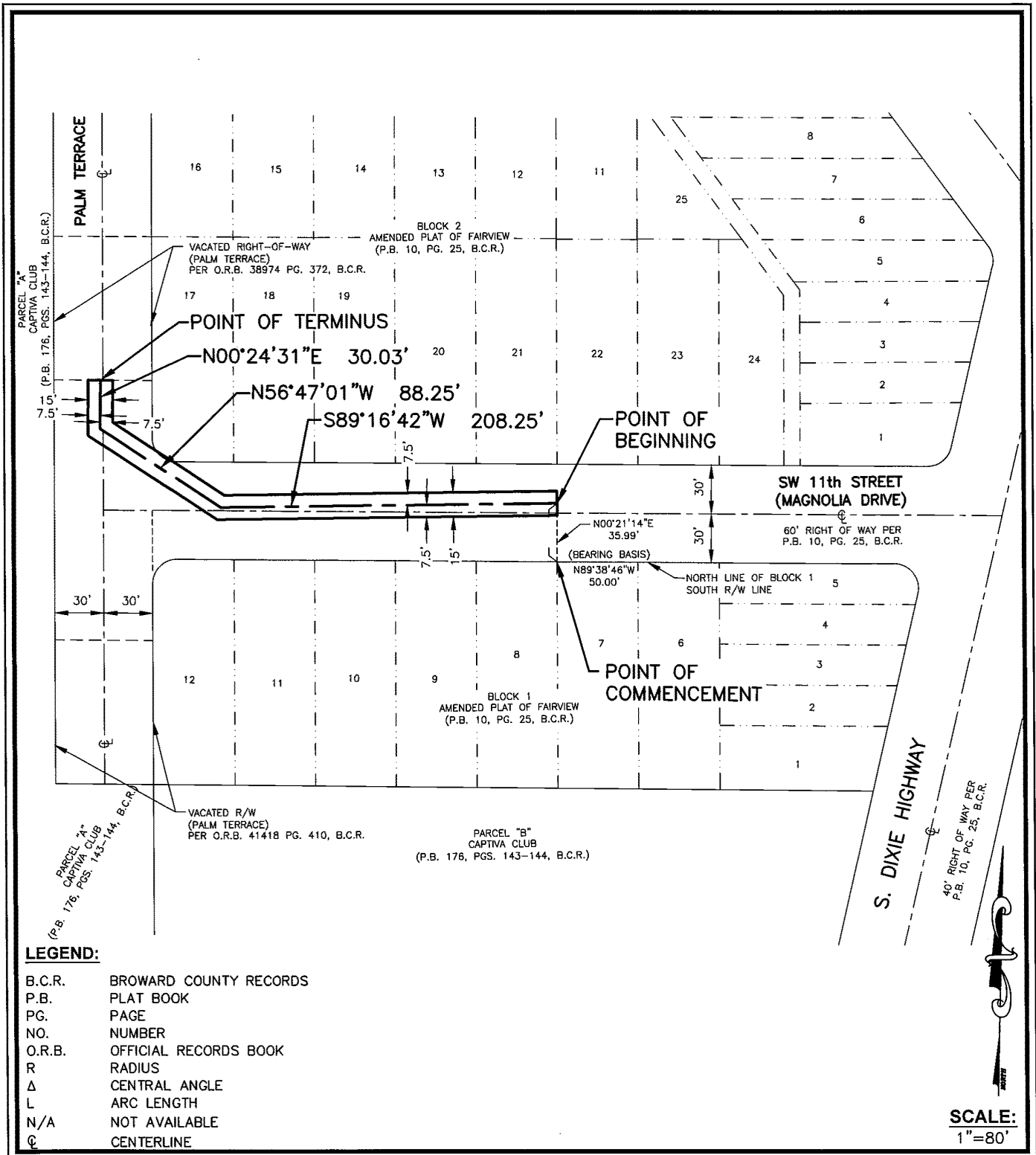
CHK. BY LP

DATE REVISIONS

P&Z

PZ20-12000006

8/24/2022



SKETCH & DESCRIPTION 15' UTILITY EASEMENT

A PORTION OF MAGNOLIA DRIVE
(SW 11TH STREET) & PALM TERRACE
AMENDED PLAT OF FAIRVIEW
P.B. 10, PG. 25, B.C.R.

POMPANO BEACH BROWARD COUNTY FLORIDA



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SHEET 2 OF 2

DRAWING NO. 10298.00 SKETCH & DESCRIPTION D4.dwg

DATE 6/10/19

SCALE 1"=80'

FIELD BK. 895

DWNG. BY DDB

CHK. BY LP

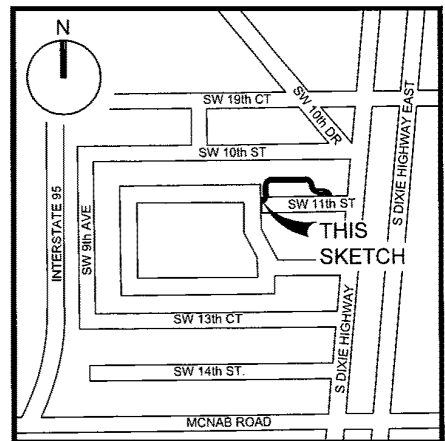
DATE REVISIONS

P&Z

PZ20-12000006

8/24/2022

ATTACHMENT TO RESOLUTION
FIRE ACCESS EASEMENT
CAPTIVA COVE 3



LOCATION MAP:
NOT TO SCALE

LEGAL DESCRIPTION:

A PORTION OF THE 60-FOOT VACATED RIGHT-OF-WAY FOR S.W. 8th AVENUE (PALM TERRACE PER PLAT) PER INSTRUMENT NUMBER 115976317 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH A PORTION OF THE 60-FOOT VACATED RIGHT OF WAY S.W. 8th AVENUE (PALM TERRACE PER PLAT) PER OFFICIAL RECORDS BOOK 38974, PAGE 372 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH PORTIONS OF LOTS 17 THROUGH 24, BLOCK 2, AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID PORTIONS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 23, BLOCK 2, AS SHOWN ON SAID PLAT; THENCE NORTH $88^{\circ}35'13''$ EAST, ALONG THE SOUTH LINE OF SAID BLOCK 2 ALSO BEING THE NORTH RIGHT OF WAY LINE OF SOUTHWEST 11th STREET (MAGNOLIA DRIVE PER PLAT), 13.23 FEET TO THE POINT OF BEGINNING ON A CURVE CONCAVE TO THE SOUTHWEST (TROUGH WHICH A RADIAL LINE BEARS SOUTH $54^{\circ}00'22''$ WEST); THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF $55^{\circ}40'50''$, AN ARC DISTANCE OF 29.15 FEET TO A POINT OF TANGENCY; THENCE SOUTH $88^{\circ}19'32''$ WEST, 36.74 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $88^{\circ}26'19''$ AND AN ARC DISTANCE OF 77.18 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF $88^{\circ}12'59''$ AND AN ARC DISTANCE OF 46.19 FEET TO A POINT OF TANGENCY; THENCE SOUTH $88^{\circ}32'53''$ WEST, 212.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF $90^{\circ}00'00''$, AN ARC DISTANCE OF 47.12 FEET TO A POINT OF TANGENCY; THENCE SOUTH $01^{\circ}27'07''$ EAST, 52.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $77^{\circ}03'47''$ AND AN ARC DISTANCE OF 67.25 FEET TO A POINT ON THE WEST LINE OF SAID VACATED 60-FOOT RIGHT OF WAY PER INSTRUMENT NUMBER 115976317 ALSO BEING THE EAST LINE OF PARCEL "A", CAPTIVA CLUB, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 176, PAGES 143 THROUGH 144, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH $01^{\circ}42'04''$ WEST ALONG SAID WEST LINE AND SAID EAST LINE, 20.86 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST (THROUGH WHICH A RADIAL LINE BEARS SOUTH $23^{\circ}10'27''$ EAST); THENCE NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 30.00 FEET; A CENTRAL ANGLE OF $68^{\circ}16'40''$ AND AN ARC DISTANCE OF 35.75 FEET TO A POINT OF TANGENCY; THENCE NORTH $01^{\circ}27'07''$ WEST, 52.41 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $90^{\circ}00'00''$ AND AN ARC DISTANCE OF 78.54 FEET TO A POINT OF TANGENCY; THENCE NORTH $88^{\circ}32'53''$ EAST, 212.53 FEET

SKETCH & DESCRIPTION 20-FOOT FIRE ACCESS EASEMENT

A PORTION OF LOTS 17 THRU 24, BLOCK 2,
AMENDED PLAT OF FAIRVIEW,
P.B. 17, PG. 24, B.C.R. AND
A PORTION OF THE 60' VACATED S.W. 8th
AVENUE (PALM TERRACE) RIGHT OF WAY

CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 1 OF 3

DRAWING NO. 10298.02 S&D FIRE ACCESS. DWG

DATE 06/03/22

SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE	REVISIONS
06/08/22	TITLE BLOCK

DATE	REVISIONS
06/08/22	TITLE BLOCK

P&Z

PZ20-12000006

8/24/2022

LEGAL DESCRIPTION: (CONTINUED)

TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 88°12'59" AND AN ARC DISTANCE OF 76.98 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 30.00 FEET; A CENTRAL ANGLE OF 88°26'19" AND AN ARC DISTANCE OF 46.31 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°19'32" EAST, 36.74 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 70°21'05" AND AN ARC DISTANCE OF 61.39 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 2, ALSO BEING THE NORTH RIGHT OF WAY LINE OF SOUTHWEST 11th STREET (MAGNOLIA DRIVE PER PLAT); THENCE SOUTH 88°35'13" WEST ALONG SAID SOUTH LINE AND SAID NORTH RIGHT OF WAY LINE, 22.31 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAIN 11,695 SQUARE FEET, (0.268 ACRES) MORE OR LESS.

SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR DIGITALLY ENCRYPTED SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
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8. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"=80' OR SMALLER.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JUNE 3, 2022 MEETS THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

MICHAEL M. MOSSEY
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION, PSM 5660

SKETCH & DESCRIPTION
20-FOOT FIRE ACCESS EASEMENT

A PORTION OF LOTS 17 THRU 24, BLOCK 2,
AMENDED PLAT OF FAIRVIEW,
P.B. #7, PG. 24, B.C.R. AND
A PORTION OF THE 60' VACATED S.W. 8th
AVENUE (PALM TERRACE) RIGHT OF WAY

CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 2 OF 3

DRAWING NO. 10298.02 S&D FIRE ACCESS. DWG

DATE 06/03/22

SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY DDB

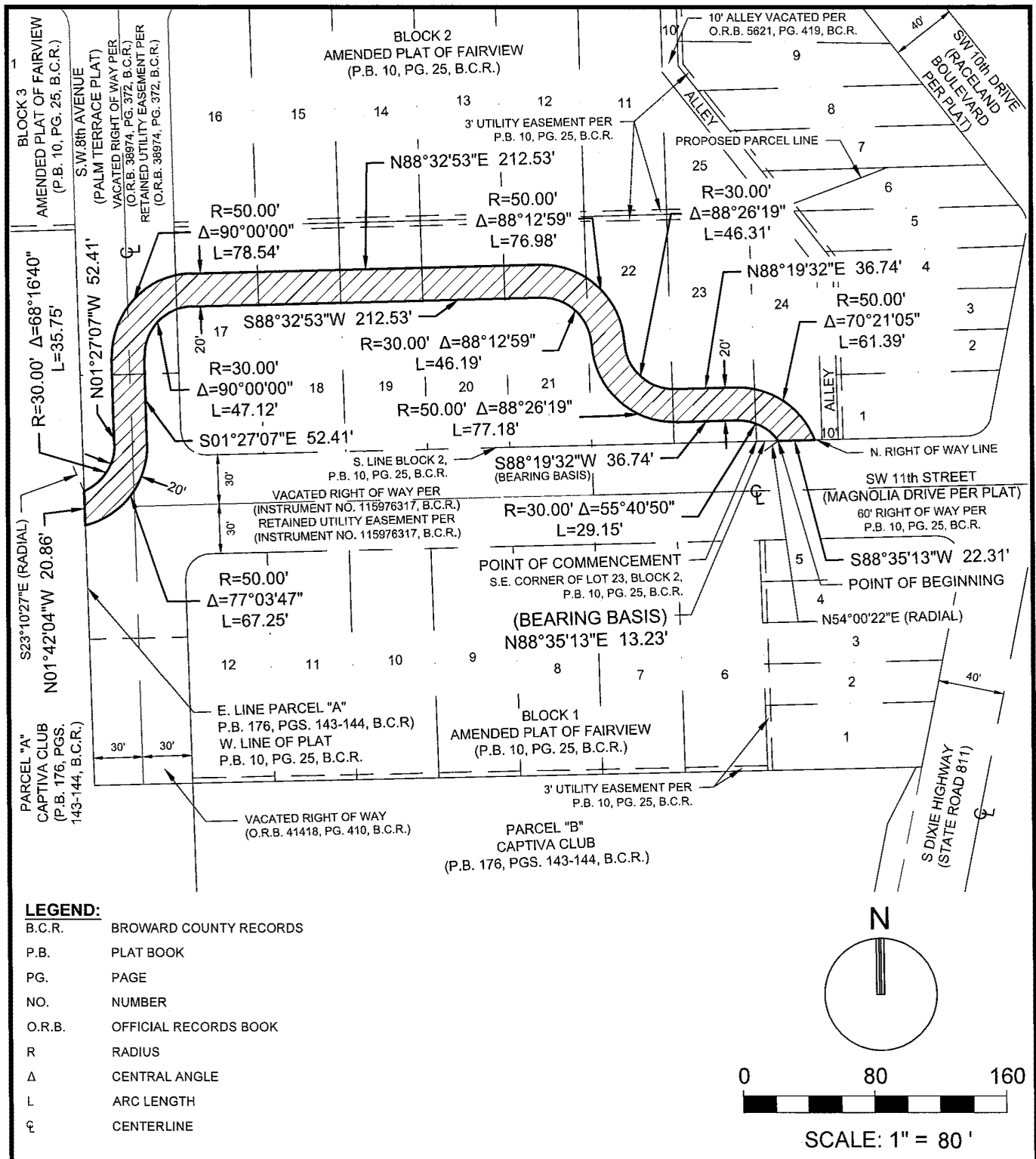
CHK. BY MMM

DATE	REVISIONS
06/08/22	TITLE BLOCK

P&Z

PZ20-12000006

8/24/2022



SKETCH & DESCRIPTION 20-FOOT FIRE ACCESS EASEMENT

A PORTION OF LOTS 17 THRU 24, BLOCK 2,
AMENDED PLAT OF FAIRVIEW,
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CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA



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SHEET 3 OF 3

DRAWING NO. 10298.02 S&D FIRE ACCESS. DWG

DATE 06/03/22

SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE	REVISIONS
06/08/22	TITLE BLOCK

DATE	REVISIONS
06/08/22	TITLE BLOCK

P&Z

PZ20-12000006

8/24/2022

RESOLUTION NO. 2022- 166

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2020-191 AND ACCEPTING A PERPETUAL FIRE ACCESS EASEMENT AND NONEXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Aloha Pompano, LLC is the owner of a parcel of real property and has agreed to a perpetual Fire Access Easement and nonexclusive Utility Easement to the City; and

WHEREAS, the City Commission has determined that the best interests of the public will be served by accepting and acquiring the rights being conveyed by the grants of easement; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Resolution No. 2020-191 is hereby rescinded in its entirety.

SECTION 2. That the City of Pompano Beach accepts the grants of easement from ALOHA Pompano, LLC for the property being described in the Fire Access Easement and Utility Easement, copies of which are attached and made a part of this Resolution as if set forth in full.

SECTION 3. That it is the determination of the City Commission of the City of Pompano Beach, Florida, that the acceptance and acquisition of the described property rights are for a public purpose.

SECTION 4. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 28th day of June, 2022.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

P&Z