

This Instrument Prepared By:
Fawn Powers, Assistant City Attorney
City of Pompano Beach
P. O. Box 2083
Pompano Beach, Florida 33061

QUIT CLAIM DEED

Executed this _____ day of _____, 2018, by

CITY OF POMPANO BEACH, a municipal corporation of the County of Broward, State of Florida, whose post office address is 100 W. Atlantic Boulevard, P. O. Box 2083, Pompano Beach, Florida 33061, referred to as "first party," to

BROWARD COUNTY, a political subdivision of the State of Florida, whose post office address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, hereinafter referred to as "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, that the said first party, for and in consideration of the sum of TEN and No/100 DOLLARS (\$10.00) in hand paid by the second party, the receipt of which is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land situate, lying and being in the County of Broward, State of Florida, to-wit:

**SEE LEGAL DESCRIPTION ATTACHED HERETO AND
MADE A PART HEREOF AS EXHIBIT "A"**

(h) Transfer to governmental agencies. The City of Pompano Beach may sell or transfer any of its property to any other governmental agency, if the City Commission finds that:

(1) A transfer of the property to the other governmental agency shall provide a benefit to the City of Pompano Beach; and

The County's Water and Wastewater Services plant provides freshwater to the City's residents and, as such, it is in the City's best interest to ensure that the safety of the subject facility.

(2) That a transfer to any other party other than that governmental agency would not provide the same benefit to the people of Pompano Beach; and
The adjacent County's Water and Wastewater Services plant provides freshwater to the City's residents in that area, no one else is providing water service to the City's residents in that area, and the ROW being requested is too small to be utilized by any other party for any recognizable benefit

(3) That the compensation to be received by the City of Pompano Beach is fair and equitable; and
This Charter Section provides the City discretion to sell or transfer the property. In this case, the City does not want to require the County to pay any money for this ROW since we are receiving in kind benefits pursuant to the County's provision of freshwater to our residents in this area plus the conveyance will relieve the City from having to maintain the property as well as legal responsibility for same.

(4) That the governmental agency to which the land is being transferred would in any event have the power of eminent domain over said property. The procedure of public notice shall apply.
The County has the right to initiate eminent domain proceedings for this piece of ROW.

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 said first party, either in law or equity, to the only proper use, benefit and behoof of said second party forever.

IN WITNESS WHEREOF, the first party has signed and sealed these presents the day and year first above written.

WITNESSES:

CITY OF POMPANO BEACH

GREGORY P. HARRISON, CITY MANAGER

(Print or Type Name)

LAMAR FISHER, MAYOR

(Print or Type Name)

Attest:

(SEAL)

Asceleta Hammond, City Clerk

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this _____ day of _____, 2018 by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

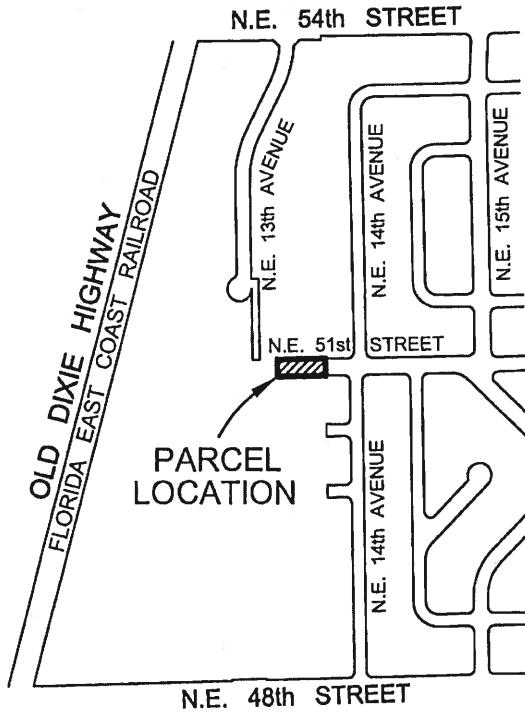
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

/jrm:jmz
1/5/17
l:realest/2017-249

EXHIBIT "A"

SECTION 12, TOWNSHIP 48 SOUTH, RANGE 42 EAST



LOCATION SKETCH
BROWARD COUNTY, FLORIDA
NOT TO SCALE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION CONSISTING OF SHEETS ONE THROUGH THREE IS TRUE, CORRECT AND COMPLETED ON 05-12-17 AND IS DONE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Frank J. Guiliano
FRANK J. GUILIANO
PROFESSIONAL SURVEYOR & MAPPER NO. 5768
NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTE:

- 1) BEARINGS ARE BASED ON THE SOUTH LINE OF PARCEL "A" OF "WILLAH PLAT NO. 1" AS RECORDED IN PLAT BOOK 112, PAGE 41, BROWARD COUNTY RECORDS, LYING IN SECTION 12, TOWNSHIP 48 SOUTH, RANGE 42 EAST; HAVING A BEARING OF S 89°51'04" W.
- 2) UNDERGROUND UTILITIES AND IMPROVEMENTS WERE NOT LOCATED.
- 3) DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
- 4) REFERENCED INSTRUMENTS ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, UNLESS INDICATED OTHERWISE.

THIS IS NOT A SURVEY,

but only a graphic depiction of the description shown hereon or attached hereto. There are no monuments set in connection with the preparation of the information shown hereon. Broward County makes no representation or guarantees as to the information shown hereon pertaining to easements, rights-of-ways, setback lines, reservations agreements, etc., nor is it the intent of this instrument to reflect all such matters. Such information should be obtained and confirmed by others through appropriate title verification.

LEGEND:

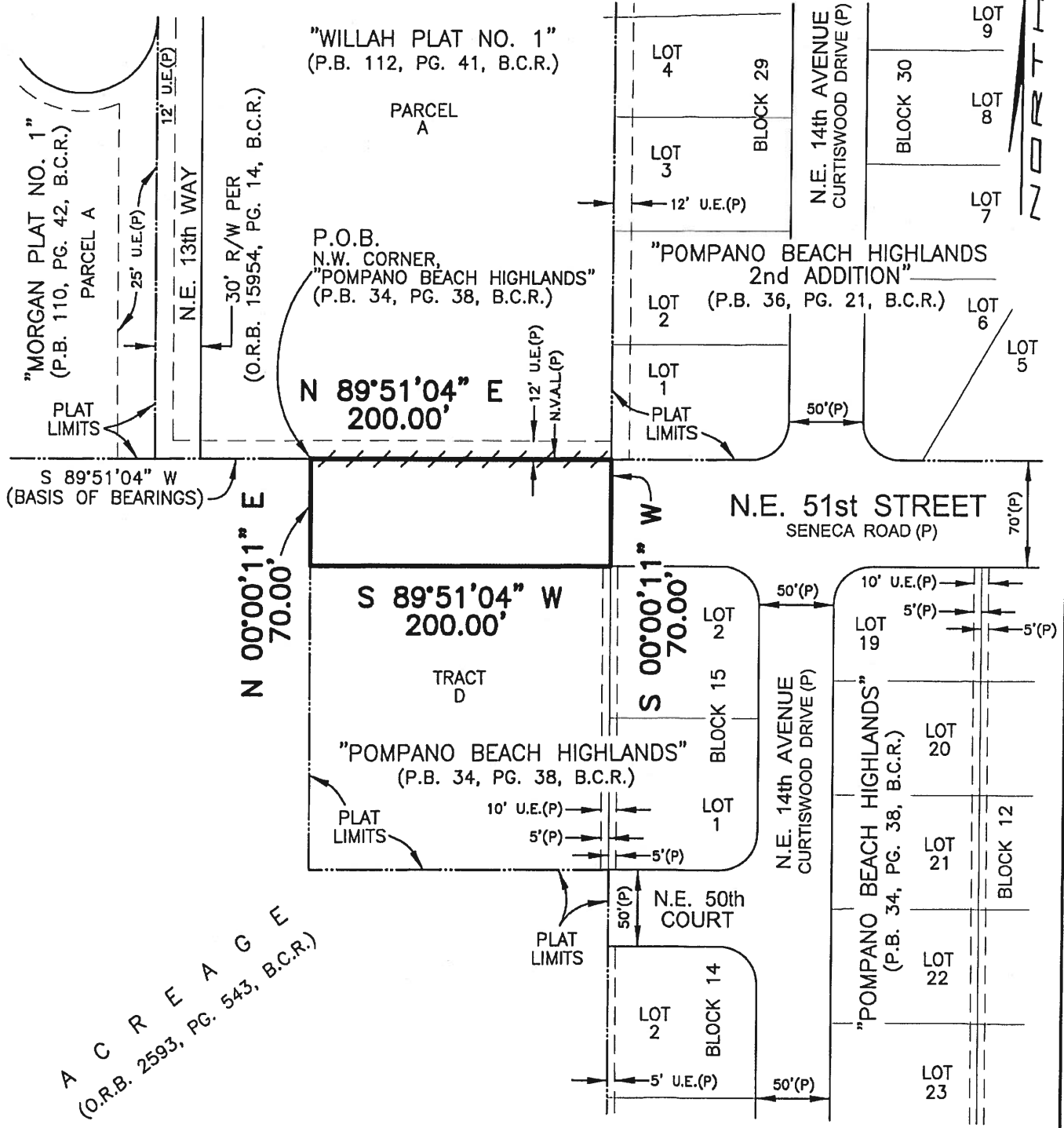
B.C.R. = BROWARD COUNTY RECORDS
O.R.B. = OFFICIAL RECORDS BOOK
(P) = PLAT
P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
R/W = RIGHT-OF-WAY
U.E. = UTILITY EASEMENT

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| 2. | | |
| 1. | | |
| DATE | REVISIONS | BY |

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|--------------|-----------|----------|-------------|----------|--|
| Scale: | Drawn By: | Date: | Checked By: | Date: | File Location: |
| Not To Scale | JSH | 05-12-17 | F. Guiliano | 05-12-17 | E:\RW\ROW\Parcel Sketches\NE 51 Street.dwg |

EXHIBIT "A"

SECTION 12, TOWNSHIP 48 SOUTH, RANGE 42 EAST



A C R E A G E
(O.R.B. 2593, PG. 543, B.C.R.)

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| 3. | | |
| 2. | | |
| 1. | | |
| DATE | REVISIONS | BY |

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|-----------|-----------|----------|-------------|----------|--|
| Scale: | Drawn By: | Date: | Checked By: | Date: | File Location: |
| 1" = 100' | JSH | 05-12-17 | F. Guiliano | 05-12-17 | E:\RW\ROW\Parcel Sketches\NE 51 Street.dwg |

LEGAL DESCRIPTION:

A portion of the N.E. 51st Street (formerly known as Seneca Road) 70-foot right-of-way, "POMPANO BEACH HIGHLANDS", as recorded in Plat Book 34, Page 38, of the Public Records of Broward County, Florida; more particularly described as follows:

Beginning at the Northwest Corner of said plat "POMPANO BEACH HIGHLANDS"; thence N 89°51'04" E along the north right-of-way line of N.E. 51st Street, 200.00 feet to a point, being the southwest corner of Lot 1, Block 29, "POMPANO BEACH HIGHLANDS 2nd ADDITION", as recorded in Plat Book 36, Page 21, of the Public Records of Broward County, Florida; thence S 00°00'11" W, 70.00 feet to a point on the south right-of-way line of N.E. 51st Street; said point also being the northeast corner of Tract "D" of said "POMPANO BEACH HIGHLANDS" plat; thence S 89°51'04" W along the said south right-of-way line, 200.00 feet to the westernmost plat limits of said "POMPANO BEACH HIGHLANDS" plat; said point also being the northwest corner of said Tract "D"; thence N 00°00'11" E along said plat limits, 70.00 feet to the Point of Beginning.

Said lands situate and lying in the City of Pompano Beach, Broward County, Florida, and containing 14,000 square feet, more or less.

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| 3. | | |
| 2. | | |
| 1. | | |
| DATE | REVISIONS | BY |

| | | | | | |
|--------------|-----------|----------|-------------|----------|--|
| Scale: | Drawn By: | Date: | Checked By: | Date: | File Location: |
| Not To Scale | JSH | 05-12-17 | F. Guiliano | 05-12-17 | E:\RW\ROW\Parcel Sketches\NE 51 Street.dwg |



Public Works Department
Facilities Management Division
Real Property Section

115 S Andrews Avenue, Room 501 • Fort Lauderdale, Florida 33301 • 954-357-6826 • FAX 954-357-6136

November 3, 2017

Greg Harrison, City Manager
City of Pompano Beach
100 West Atlantic Blvd.
Pompano Beach, FL 33060

RE: Request to convey a portion of N.E. 51st Street to Broward County.
Folio # 4843-07-02-3030 (portion) and the Right-of-Way north of it

Dear Mr. Harrison,

This letter serves as a formal request for the City of Pompano Beach to convey a 70-foot-wide by 200-foot-long portion of N.E. 51st Street to the County as shown on the attached aerial map ("Property"). This Property is adjacent to the Broward County Water and Wastewater Services plant located at 1390 NE 50 Street in Pompano Beach.

As shown on the aerial, a gate was installed on the Property whereby the County effectively took control of that portion of the Property. The location of the gate creates an ideal area for many trucks to be parked there. However, the proximity to the Water and Wastewater Services plant poses a security and safety concern for the County's facilities. Therefore, the County is requesting that the City of Pompano Beach transfer title to the Property to the County.

A sketch and legal drawing has been prepared by the County Surveyor and it is attached for your review. If you have any questions, please contact Gigi Barrasso at (954) 357-5535 or Andrée Hammond at (954) 357-6815.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Bhogaita", is written over a circular stamp or seal.

Purvi A. Bhogaita
Director Real Property Section

Enclosures

c: Fawn Powers, Assistant City Attorney

Broward County Board of County Commissioners

Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
Broward.org

Aerial Location Map Water Plant 2A



Aerial Location Map NE 51st Street Right of Way

