

RESOLUTION NO. 2018 - _____

**CITY OF POMPANO BEACH
Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ACCEPTING A
PUBLIC ACCESS EASEMENT FROM LONE OAK –
BROWARD, LLC TO THE CITY OF POMPANO BEACH;
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the CITY currently owns right-of-way adjacent to NW 12th Avenue; and

WHEREAS, Lone Oak – Broward, LLC (“Lone Oak”), as an adjacent landowner to the right-of-way, submitted an application (P & Z #18-18000001) for the abandonment of the Subject Property in conjunction with a site plan proposing to construct an addition to an existing warehouse facility, along with associated parking, landscaping and other site improvements; and

WHEREAS, at a meeting of the City’s Planning and Zoning Board/Local Planning Agency (“Board”) held on April 25, 2018, the Board considered Lone Oak’s request for abandonment and unanimously recommended approval of the Grantor’s request conditioned on the execution of a Public Access Easement; and

WHEREAS, the CITY agrees to abandon the Subject Property, but desires to reserve a perpetual and nonexclusive public access easement over the Subject Property for use by the public to allow for pedestrian and vehicular ingress and egress over the Subject Property, and

WHEREAS, the Grantor desires to grant and create, pursuant to the terms and conditions hereinafter set forth, and City has agreed to accept, a perpetual nonexclusive easement to be held in trust by the City for the benefit of the general public access for pedestrian and vehicular ingress and egress over the Subject Property (“Easement Area”); 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 Easement; now, therefore,

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

SECTION 1. That the City of Pompano Beach accepts the Easement from Lone Oak – Broward, LLC, a copy of which is attached hereto and incorporated by reference as if set forth in full.

SECTION 2. That it is the determination of the City Commission of the City of Pompano Beach, Florida, that the Easement is for a public purpose.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

JES:jrm
7/11/18
L:reso/2018-269