



Legislation Details (With Text)

File #: 22-1217 **Version:** 1 **Name:**

Type: Request **Status:** Agenda Ready

File created: 8/26/2022 **In control:** City Commission

On agenda: 9/19/2022 **Final action:** 12/31/2023

Title: ITEM(S) A1 - ACCEPTANCE OF FIRE HYDRANT EASEMENT AGREEMENT BY 720 SW 2ND TERRACE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 501 NW 9TH STREET AND A RIGHT OF WAY DEDICATION BY 40 NW 9TH AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 342 SW 4TH AVE.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Legal Reviews (3), 3. Item (A1a) Fire Hydrant Easement Agreement - 720 SW 2nd Terrace, 4. Item (A1b) Exhibit A & Sketch - 720 SW 2nd Terrace, 5. Item (B1a) - 501 NW 9th St. - ROW, 6. Item (B1b) Exhibit A - Sketch & Description - 501 NW 9th St - ROW, 7. Item (C1a) 40 NW 9th Ave. - ROW, 8. Item (C1b) Exhibit A & Sketch - 40 NW 9th Ave - ROW, 9. Exhibit A Sketch & Descrip - 40 NW 9th Ave. - ROW, 10. (Item D1a) 342 SW 4th Ave - ROW, 11. (Item D1b) Exhibit A & Sketch 342 SW 4th Ave, 12. Legal Review Right of Way Deed 342 SW 4th Ave Developers Contractors Group Inc

Date	Ver.	Action By	Action	Result
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TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: September 19, 2022

ITEM(S) A1 - ACCEPTANCE OF FIRE HYDRANT EASEMENT AGREEMENT BY 720 SW 2ND TERRACE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 501 NW 9TH STREET AND A RIGHT OF WAY DEDICATION BY 40 NW 9TH AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 342 SW 4TH AVE.

Recommended Action:

Consideration of the following items:

Item A1 - Motion to approve and accept a Fire Hydrant Easement Agreement by the owners of 720 SW 2nd Terrace.

Item B1 - Motion to approve and accept a Right of Way Dedication by the owners of 501 NW 9th Street

Item C1 - Motion to approve and accept a Right of Way Dedication by the owners of 40 NW 9th Ave.

Item D1 - Motion to approve and accept a Right of Way Dedication by the owners of 342 SW 4th Ave.

Background:

Item A1

Consider acceptance of a Fire Hydrant Easement Agreement located at 720 SW 2nd Terrace

The owner(s), Pulte Home Company, LLC., submitted building permit application #21-197598 on 6/09/21, for the subject property. During the application process it was determined that an easement would be needed to allow access to the fire hydrant on this property. As a result, an easement agreement was created.

There is no City cost now or in the future for these items.

Item B1

Consider acceptance of a Right of Way Dedication located at 501 NW 9th Street.

The owner(s), Anthony and Liana Byron submitted building permit application #20-1193387 on 11/17/20, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) NW 9th St. has an ultimate right of way of 50ft, and the current setback is 12.5ft. As a result, a 12.5 ft right of way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

Item C1

Consider acceptance of a Right of Way Dedication located at 40 NW 9th Ave.

The owner(s), Allante Daniels, submitted building permit application #22-205870 on 8/01/22, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) the alley in the rear of the property has an ultimate right of way of 20ft and is currently shown as 16ft. As a result, a 2ft right of way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

Item D1

Consider acceptance of a Right of Way Dedication located at 342 SW 4th Ave.

The owner(s), Developers Contractors Group Inc, submitted building permit application #22-203233 on 4/5/22, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) the alley in the rear of the property has an ultimate right of way of 20ft and is currently shown as 16ft. As a result, a 2ft right of way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

The timing of these requests is of high importance in order to allow projects to continue construction.