

1 EXHIBIT 1

2 ORDINANCE NO. 2017 –

3 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF
4 THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING
5 THE DEDICATION OF THE PUBLIC RIGHT-OF-WAY ON
6 ROADWAYS LOCATED WITHIN THE BLUESTEN PARK
7 PROJECT, SPECIFICALLY DEDICATING A 40 FEET RIGHT-
8 OF-WAY ON S.E. 1ST AVENUE, A 30 FEET RIGHT-OF-WAY ON
9 S.E. 7TH STREET BETWEEN S.E. 1ST AVENUE AND S.E. 2ND
10 AVENUE, A 10 FEET RIGHT-OF-WAY ON S.E. 7TH STREET
11 BETWEEN OLD FEDERAL HIGHWAY AND S.E. 4TH AVENUE, A
12 15 FEET RIGHT-OF-WAY ON S.E. 5TH STREET, AND A 25 FEET
13 RIGHT-OF-WAY ON THE EAST PROPERTY LINE BETWEEN
14 S.E. 5TH STREET AND S.E. 7TH STREET FOR THE S.E. 4TH
15 AVENUE EXTENSION; PROVIDING FOR CONFLICT; AND
16 PROVIDING FOR AN EFFECTIVE DATE.
17

18 **WHEREAS**, on May 17, 2017 the City of Hallandale Beach City Commission approved major
19 development application #DB-16-03057, the “Bluesten Park Project” for the expansion and
20 redevelopment of Bluesten Park with a new community center, pool facilities, ball fields, court areas
21 and additional amenities, subject to specific conditions; and
22

23 **WHEREAS**, on May 17, 2017 the City Commission also approved Application #V-16-3686
24 for variances for the Bluesten Park Project, which included a variance from Section 32-481 of the
25 Code. Section 32-481 requires a minimum required width of a city right-of-way of 50 feet unless
26 otherwise specified. However, in order to accommodate the proposed community center building,
27 a 40 foot dedication was approved for S.E. 1st Avenue, which results in 10 feet less than the
28 minimum 50 feet required; and
29

30 **WHEREAS**, one of the conditions of approval for the Bluesten Park Project major
31 development application #DB-16-03057 required the applicant to provide right-of-way dedications
32 to be added to the existing right-of-ways in order to meet minimum requirements of the City’s
33 Comprehensive Plan, prepared in a form acceptable to the City Attorney; and
34

35 **WHEREAS**, the right-of-way dedications referenced in the aforementioned condition are
36 identified in the “Sketch and Description Right-of-Way Dedication” (Exhibit 1-A) and are as
37 follows:
38

- a) 40 feet right-of-way dedication on S.E. 1st Avenue,
b) 30 feet right-of-way dedication on S.E. 7th Street between S.E. 1st Avenue and S.E. 2nd Avenue,
c) 10 feet right-of-way dedication on S.E. 7th Street between Old Federal Hwy and S.E. 4th Avenue,
d) 15 feet dedication on S.E. 5th Street,
e) 25 feet right-of-way dedication on east property line between S.E. 5th Street and S.E. 7th Street for S.E. 4th Avenue extension; and

WHEREAS, in order to obtain the Certificate of Occupancy, right-of-way dedications must be executed and recorded in Broward County records; and

WHEREAS, Section 5.01(4)(f) of the City Charter requires an ordinance to convey any lands of the City; and

WHEREAS, the Mayor and City Commission find it is in the best interest of the City in order to advance the Bluesten Park Project to dedicate on behalf of the public the right-of-ways as described herein and identified in the "Sketch and Description Right-of-Way Dedication" ("Exhibit 1-A").

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are incorporated herein.

SECTION 2. Dedication of Right-of-Way. The Mayor and City Commission are authorized to execute a Dedication of Right-of-Way to and for the use and benefit of the public for the 40 feet right-of-way on S.E. 1ST Avenue, a 30 feet right-of-way on S.E. 7TH Street between S.E. 1ST Avenue and S.E. 2nd Avenue, a 10 feet right-of-way on S.E. 7th Street between Old Federal Highway and S.E. 4th Avenue, a 15 feet right-of-way on S.E. 5th Street, and a 25 feet right-of-way on the east property line between S.E. 5th Street and S.E. 7th Street for the S.E. 4 Avenue extension, as identified in the "Sketch and Description Right-of-Way Dedication" ("Exhibit 1-A"). The Mayor is authorized to execute a "Right-of-Way Dedication to the Public" in the form and

substance similar to "Exhibit 1-B." Upon the execution, the City Clerk shall record one (1) original "Right-of-way Dedication to the Public" in the Public Records of Broward County, and upon recordation, the original shall be retained by the City Clerk as a public record.

SECTION 3. Providing for Conflict. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. Providing for Effective Date. This ordinance shall take effect upon adoption.

PASSED AND ADOPTED on 1st reading on _____, 2017.

PASSED AND ADOPTED on 2nd reading on _____, 2017.

JOY F. COOPER
MAYOR

ATTEST:

MARIO BATAILLE, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY AND
FORM

JENNIFER MERINO
CITY ATTORNEY