

1 EXHIBIT 1

2 ORDINANCE NO. 2018-

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 WITHIN
6 THE FIRE STATION 7 PROJECT, INCLUDING FIVE (5) FEET
7 ALONG NW 1ST AVENUE, FIVE (5) FEET ALONG NW 2ND
8 AVENUE AND FIFTEEN (15) FEET ALONG NW 4TH STREET AS
9 IDENTIFIED IN EXHIBIT A; PROVIDING FOR CONFLICT; AND
10 PROVIDING FOR AN EFFECTIVE DATE.
11

12 **WHEREAS**, on January 28, 2015 the City of Hallandale Beach City Commission approved
13 major development application #06-15-DB in order construct a new Fire Station, Emergency
14 operation Center, and Fire Department Administration Offices at 111 Foster Road ("Fire Station 7");
15 and

16 **WHEREAS**, one of the conditions of approval for major development application #06-15-
17 DB required the applicant to provide the dedication of roadway easements to the public, prepared
18 in a form acceptable to the City Attorney; and
19

20 **WHEREAS**, the roadway easements referenced in the condition are identified in Exhibit
21 A and are as follows:

- 22 1) The providing of a five (5) foot roadway easement along NW 1st Avenue; and
23 2) The providing of a five (5) foot roadway easement along NW 2nd Avenue; and
24 3) The providing of a fifteen (15) foot roadway easement along NW 4th Street.
25

26 **WHEREAS**, Resolution No. 2015-04 contained a scrivener's error whereby NW 4th Street
27 was drafted as NW 4th Avenue; and
28

29 **WHEREAS**, the legal instrument for the City as property owner to dedicate land for the
30 public benefit is a right-of-way dedication; and
31

32 **WHEREAS**, in order to obtain the Certificate of Occupancy, the instruments dedicating
33 roadway easements to the public must be executed and recorded in Broward County records; and
34

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

37 **WHEREAS**, the Mayor and City Commission find it is in the best interest of the City in
38 order to finalize the Fire Station 7 project to dedicate roadway easements as identified in Exhibit
39 “A”.

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

42 **SECTION 1.** The foregoing “Whereas” clauses are incorporated herein.

43 **SECTION 2. Dedication to the Public.** The Mayor and City Commission are hereby
44 authorized to execute a Dedication of Right-of-Way to and for the use and benefit of the public as
45 part of the Fire Station 7 project, including five (5) feet along NW 1st Avenue, five (5) feet along
46 NW 2nd Avenue, and fifteen (15) feet along NW 4th Street as identified in Exhibit “A”. The Mayor
47 is authorized to execute a “Right-of-Way Dedication to the Public” in the form and substance
48 similar to Exhibit “B.” Upon the execution, the City Clerk shall record one (1) original “Right-of-
49 Way Dedication to the Public” in the Public Records of Broward County, and upon recordation,
50 the original shall be retained by the City Clerk as a public record.

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

53
54 **SECTION 4. Providing for Effective Date.** This ordinance shall take effect upon
55 adoption.

56 PASSED AND ADOPTED on 1st reading on August 1, 2018.

57 PASSED AND ADOPTED on 2nd reading on _____, 2018.

58
59
60 _____
61 KEITH S. LONDON
62 MAYOR

63 ATTEST:

64 _____
65 JENORGEN GUILLEN
66 CITY CLERK

67
68 APPROVED AS TO LEGAL SUFFICIENCY AND
69 FORM

70
71 _____
72 JENNIFER MERINO
73 CITY ATTORNEY