**ORDINANCE NO. 2015-020**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY ARI SKLAR, A.I.A., SKLARCHITECTURE, AGENT ON BEHALF OF THE PROPERTY OWNERS, CASEY 18 DEVELOPMENT GROUP, LLC AND DANIA COVES 18, LLC, APPROVING THE DANIA OAKS PLAT (PL-067-15), FOR PROPERTY LOCATED AT 5461 AND 5471 SW 40th AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

 **BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the “Dania Oaks” plat (PL-067-15), for property located at 5461 and 5471 SW 40th Avenue in the City of Dania Beach, and legally described in Exhibit ”A”, a copy of which is attached, made a part of and incorporated into this Ordinance by this reference, is accepted and approved. The City of Dania Beach consents and agrees that such plat may be recorded in the Public Records of Broward County, Florida, upon further approval of all agencies of Broward County, Florida, having jurisdiction in the matter.

**Section 2.** That the plat described in in Exhibit “B”, a copy of which is attached, made a part of and incorporated into this Ordinance by this reference, was reviewed by the Development Review Committee, which includes representatives from the Broward Sheriff’s Office Fire Department, City’s Public Services Department, the City’s landscape consultant and the City Planning Division. The Applicant addressed all comments prior to the City Commission Public Hearing.

**Section 3.** That the dedication for public use of all streets, highways, alleys, parkland and easements as shown on the “Dania Oaks” plat, is accepted and approved by the City of Dania Beach, with the above conditions.

 **Section 4.** That on August 19, 2015, the Planning and Zoning Board, acting as theLocal Planning Agency, reviewed the application for the perimeter plat and forwarded a recommendation of approval to the City Commission.

**Section 5.** That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

 **Section 6.** That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

 **Section 7.** That this Ordinance shall be in force and take effect immediately upon its passage and adoption.

**PASSED** on first reading on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2015

**PASSED AND ADOPTED** on second reading on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2015

ATTEST:

LOUISE STILSON, CMC MARCO A. SALVINO, SR.

CITY CLERK MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO

CITY ATTORNEY

**EXHIBIT “A”**

**Dania Oaks Plat**

**LEGAL DESCRIPTION**

PARCEL “A”

A parcel described as the South 99.00 feet of the North 431.03 feet of the West 184.50 feet of the East 219.50 feet of TRACT 9, “NEWMANS SURVEY” OF SECTION 36, and TOWNSHIP 50 SOUTH, RANGE 41 EAST, as recorded in Plat Book 2, Page 26, of the Public Records of Miami-Dade County, Florida. LESS the South 4.00 feet of the East 103.72 thereof.

PARCEL “B”

A Portion of Tract 9, Section 36, Township 50 South, Range 41 East. Broward County, Florida, and more particularly described as follows:

The South 117.52 feet of the North 544.55 feet of the West 322.55 feet of the East 357.55 feet of TRACT 9, “NEWMANS SURVEY” OF SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST, as recorded in Plat Book 2, Page 26, of the Public Records of Miami-Dade County, Florida;

LESS AND EXCEPT THE FOLLOWING:

Commence at the most Northeasterly corner of the South 117.52 feet of the North 544.55 feet of the West 322.55 feet of the East 357.55 feet of TRACT 9, “NEWMANS SURVEY” OF SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST, as recorded in Plat Book 2, Page 26, of the Public Records of Miami-Dade County, Florida; Thence South 03°03’39” East, a distance of 4.00 feet; Thence South 87°49’48” West, a distance of 80.78 feet; Thence North 03°03’39” West, a distance of 4.00 feet; Thence North 87°49’48” East, a distance of 80.78 feet to the Point of Beginning.

PARCEL C

The South 212.52 feet of the North 544.55 feet of the West 293.05 feet of the East 512.55 of TRACT 9, “NEWMANS SURVEY” OF SECTION 36, TOWNSHIP 50 SOUTH RANGE 41 EAST, according to the Plat thereof, as recorded in Plat Book 2, Page 26, of the Public Records of Miami-Dade County, Florida.

LESS the South 117.52 feet of the East 138.05 thereof.

Said lands situate, lying and being in Broward County, Florida.

**EXHIBIT “B”**

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