**ORDINANCE NO. 2015-021**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY JAN H. SMITH, AGENT ON BEHALF OF THE PROPERTY OWNER GERDAU AMERISTEEL U.S., INC., APPROVING THE GERDAU AMERISTEEL PLAT (PL-058-15), FOR PROPERTY LOCATED AT 2025 TIGERTAIL BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE, MADE A PART OF AND INCORPORATED INTO IT BY THIS REFERENCE; 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 “Gerdau Ameristeel” plat (PL-058-15), for property located at 2025 Tigertail Boulevard in the City of Dania Beach, and legally described in Exhibit ”A”, a copy of which is 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 appearing in Exhibit “B”, a copy of which is made a part of and incorporated into this Ordinance by this reference, was reviewed by the City Development Review Committee, which includes representatives from the Broward Sheriff’s Office Fire Department, City Public Services Department, the City’s landscape consultant and the City Planning Division.

**Section 3.** That on August 19, 2015, the City 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, subject to compliance by the Applicant with all staff comments.

**Section 4.** 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 5.** 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parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.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 6.** 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”**

**LEGAL DESCRIPTION**

DESCRIPTION: (PER WARRANTY DEED, 0.R.B. 3460, PG 751, B.C.R.)

THE SOUTH 35 FEET THAT PORTION OF THE "AMENDED PLAT OF HOLLYWOOD HEIGHTS", PLAT BOOK 14, PAGE 58 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 95 (STATE ROAD No. 9);

THE SOUTH 35 FEET OF THAT PORTION OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING WEST OF THE WEST LINE OF SAID "AMENDED HOLLYWOOD HEIGHTS";

THE SOUTH 35 FEET OF THAT PORTION OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 33, LYING EAST OF A LINE THAT IS 300 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF THE SEABOARD AIR LINE RAILROAD;

ALL THAT PROPERTY IN TRACT 5, OF TIGERTAIL GROVE RE-SUBDIVISION, LYING IN SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 30, PAGE 20. OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; EXCEPT THE PORTION THEREOF CONVEYED TO BROWARD COUNTY, FLORIDA FOR ROAD AND HIGHWAY PURPOSES BY SPECIAL WARRANTY DEED DATED SEPTEMBER 25, 1962 AND RECORDED IN OFFICIAL RECORDS 2473, PAGE 614 OF THE PUBLIC RECORDS OF SAID COUNTY;

ALL THAT PART OF THE N 1/2 OF THE NW 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EASE, LYING EAST OF THE SEABOARD-ALL FLORIDA RAILWAY RIGHT-OF-WAY IN BROWARD COUNTY, FLORIDA; EXCEPT, BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF TIGERTAIL BOULEVARD AND A POINT 100 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF THE SEABOARD-ALL FLORIDA RAILWAY, AS MEASURED AT RIGHT ANGLES, SAID POINT OF BEGINNING ALSO BEING DESCRIBED AS THE SOUTHWEST CORNER OF A TRACT FORMERLY KNOWN AS THE SEABOARD-ALL FLORIDA RAILWAY STATION GROUND; THENCE RUN EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF TIGERTAIL BOULEVARD 202.63 FEET; THENCE NORTHEASTERLY PARALLEL TO THE SAID RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE N 1/2 OF THE NW 1/4 OF THE SW 1/4, SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST; THENCE WESTERLY A DISTANCE OF 202.65 FEET ALONG SAID NORTH LINE OF THE N 1/2 OF THE NW 1/4 OF THE SW 1/4 TO A POINT 100 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF THE SEABOARD-ALL FLORIDA RAILWAY, AS MEASURED AT RIGHT ANGLES; THENCE SOUTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THE SAID EXCEPTED TRACT OF LAND HEREIN DESCRIBED ALSO BEING KNOWN AS PART OF THE TRACT FORMERLY KNOWN AS SEABOARD-ALL FLORIDA RAILROAD GROUNDS; AND EXCEPT THE PORTION THEREOF CONVEYED TO BROWARD COUNTY, FLORIDA FOR ROAD AND HIGHWAY PURPOSES BY SPECIAL WARRANTY DEED DATED SEPTEMBER 25, 1962 AND RECORDED IN OFFICIAL RECORDS BOOK 2473, PAGE 614 OF THE PUBLIC RECORDS OF BROWARD COUNTY. (END OF DEED DESCRIPTION)

AND ALSO LESS THEREFROM PARCEL A OF DESIGNER'S PLACE AT DANIA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 129, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EASTERLYMOST CORNER OF PARCEL "A" OF "THE NCL PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 150, PAGE 50 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF THE AFORESAID TRACT 5 OF TIGERTAIL GROVE RESUBDIVISION, SOUTH 04°16'24" EAST 665.91 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 5; THENCE ALONG THE SOUTH LINE OF SAID TRACT 5, SOUTH 87°28'12" WEST 60.64 FEET TO AN INTERSECTION WITH AN EASTERLY LINE OF PARCEL "A" OF DESIGNER'S PLACE AT DANIA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 129, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD, FLORIDA; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES, (1) NORTH 09°39'28" EAST 44.07 FEET; (2) NORTH 04°16'24" WEST 309.40 FEET TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE ALONG THE NORTH LINE OF SAID PARCEL "A", SOUTH 87°28'12" WEST 550.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE ALONG THE WEST LINE OF SAID PARCEL "A", SOUTH 02°38'10" EAST 359.84 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE ALONG A LINE 30 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, SOUTH 87°28'12" WEST 511.41 FEET; THENCE ALONG A SOUTHERLY PROLONGATION OF AN EASTERLY LINE OF SAID PARCEL "A" OF SAID "THE NCL PLAT" AND SAID EASTERLY LINE, NORTH 06°43'38" EAST 681.14 FEET; THENCE ALONG A SOUTHERLY BOUNDARY OF SAID PARCEL "A" OF SAID "THE NCL PLAT", NORTH 87°25'19" EAST 991.66 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 510,898 SQUARE FEET (11.729 ACRES) MORE OR LESS.

**EXHIBIT “B”**