

## SURPLUS LANDS EXECUTIVE SUMMARY

**PROJECT:** C-42 Canal

**COUNTY:** Broward

**SIZE:** 0.96 +/- acres

**PURPOSE:** Release of Easements

**APPLICANT:** Broward County Public Works and Transportation Department

**HIGHLIGHTS:** The applicant is extending and widening Hiatus Road between Sunrise Boulevard and Oakland Park Boulevard in the City of Plantation. Currently the District has 110-foot wide easement interests in Section 31, Township 49 South, Range 41 East, for the C-42 Canal that encumber a portion of the property designated for the roadway. Broward County is asking that the easement interests be released over the roadway area.

**CONSIDERATIONS:** The construction of this section of Hiatus Road is being built in the best interest of the public. The release of the easement interests will allow the County to complete construction of this corridor of Hiatus Road, which will improve traffic conditions and provide the City of Plantation, the City of Sunrise and other communities a new alternate route in the North and South directions.

Key staff members of the District reviewed the application and have no objections to the release provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District prior to the release:

- a. The applicant shall obtain all necessary permits from the District, and any other governmental agencies, and pay all associated fees, including but not limited to District Right of Way Occupancy Permit (Application Number 08-1009-1) requesting authorization for certain improvements, more particularly described in subsection b. below, to the remaining canal right of way lying adjacent to the release parcel. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
- b. The applicant shall complete bank re-shaping and stabilization, including erosion control features that will provide the District with a stabilized, clear, unobstructed maintenance berm and vehicular access route, being a minimum of 40 feet in width as measured from the useable top of the canal bank landward as depicted in the Contract Plans, as submitted to and approved by the District, (County Project No. 5220 Hiatus Road, from Sunrise Boulevard to south of Oakland Park Boulevard).
- c. The Applicant shall confirm that it is the underlying fee owner of the subject property to be released.

d. The terms, conditions and requirements set forth in paragraphs a., b and c. above must be completed to the satisfaction of the District, in the District's sole and absolute discretion no later than December 31, 2012.

**FISCAL IMPACT:** Said canal and canal right of way was deeded to Central and Southern Florida Flood Control District (CSFFCD) in 1950 at no cost. Because this project is for the benefit of the public, the applicant is requesting that the District waive its \$1,000.00 application fee and release its interests at no cost.

**AUTHORIZATION:** Pursuant to Section 373.056, Florida Statutes, any water management district within this chapter shall have authority to convey or lease to any governmental entity, land or rights in land owned by such district not required for its purposes under such terms and conditions as the governing board of such district may determine, and pursuant to Section 373.096 of the Florida Statutes, may release any easement interests conveyed to it for which it has no present or apparent future use under terms and conditions determined by the Governing Board.

**RECOMMENDATION:** A Resolution of the Governing Board of the South Florida Water Management District approving the release of easement interests with respect to 0.96 acres, more or less, to the underlying fee owner at no cost; being a portion of the C-42 Canal Right of Way, in Section 31, Township 49 South, Range 41 East, Broward County, subject to satisfaction of certain terms, conditions and requirements; and approve waiver of the application fee; providing an effective date.

**Prepared by:** \_\_\_\_\_  
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Title and Closing Section  
Date \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_  
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Date \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_  
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Date \_\_\_\_\_

**Approved by:** \_\_\_\_\_  
Kenneth G. Ammon, P.E.  
Deputy Executive Director  
Everglades Restoration and Capital Projects  
Date \_\_\_\_\_