

**CITY OF WESTON, FLORIDA
RESOLUTION NO. 2022-07**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING AND CERTIFYING A MAINTENANCE MAP IDENTIFYING CERTAIN SIDEWALKS WITHIN BONAVENTURE AND THEREBY VESTING OWNERSHIP IN THE CITY IN ACCORDANCE WITH SECTION 95.361, FLORIDA STATUTES; AUTHORIZING THE FILING THEREOF IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BROWARD COUNTY, FLORIDA.

WHEREAS, First, the City of Weston (the "City") has regularly maintained or repaired the sidewalks located in a portion of Bonaventure as specifically depicted in the Maintenance Map attached hereto as Exhibit A (the "Maintenance Map") for the immediate past seven (7) years (collectively the "Sidewalks"); and

WHEREAS, Second, the Sidewalks were originally constructed by a nongovernmental entity; and

WHEREAS, Third, pursuant to Section 95.361(2), Florida Statutes, due to the regular maintenance and repair of the Sidewalks for the immediate past seven (7) years, all rights, title, easement, and appurtenances in and to the Sidewalks shall vest in the City; and

WHEREAS, Fourth, in accordance with Section 95.361(3), Florida Statutes, in order to effectuate said vesting of title in the City, the City must file a map in the office of the Circuit Court in and for Broward County showing the Sidewalks and reciting on it that the Sidewalks have vested in the City in accordance with Subsection 95.361(2), Florida Statutes; and

WHEREAS, Fifth, the Maintenance Map is required to be duly certified by the Mayor and the Clerk of the City; and

WHEREAS, Sixth, the City Commission finds it in the best interest of the City to certify the Maintenance Map and direct the City Clerk to submit the duly certified Maintenance Map with a copy of this Resolution to the Clerk of the Circuit Court in and for Broward County, Florida.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission approves the Maintenance Map and corresponding Affidavit, attached hereto and incorporated herein as Exhibit "B", and authorizes the Mayor and the City Clerk to certify the same pursuant to Section 95.361, Florida Statutes.

Section 3: The City Commission directs a copy of this Resolution and Exhibits "A" and "B" to be filed with the Clerk of the Circuit Court in and for Broward County, Florida, for the purpose of being held as prima facie evidence of the ownership of the Sidewalks by the City, in accordance with Section 95.361, Florida Statutes.

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Section 4: The appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5: This Resolution shall take effect upon its adoption.

ADOPTED by the City Commission of the City of Weston, Florida, this 18th day of January 2022.



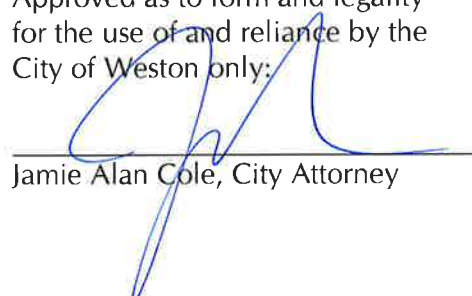
Margaret Brown, Mayor

ATTEST:



Patricia A. Bates, MMC, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:



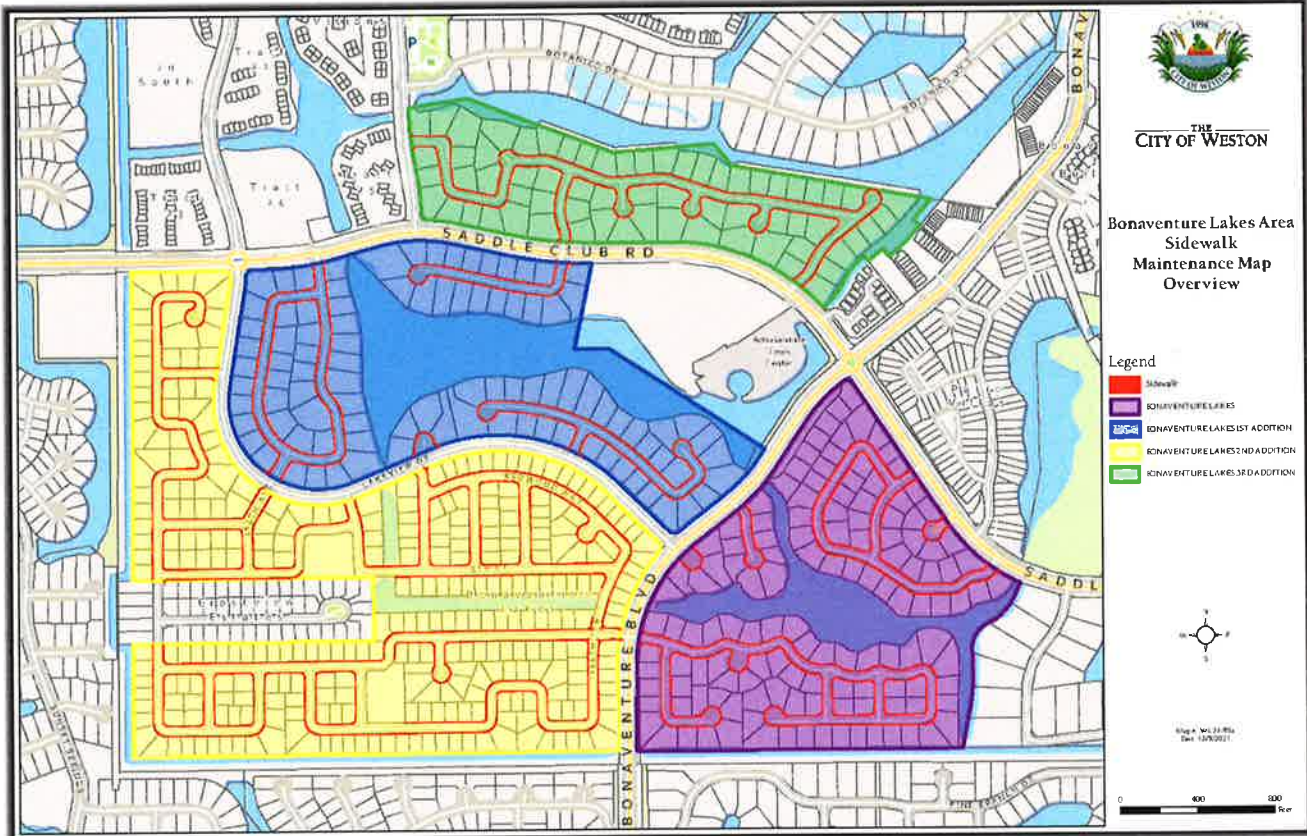
Jamie Alan Cole, City Attorney

Roll Call:

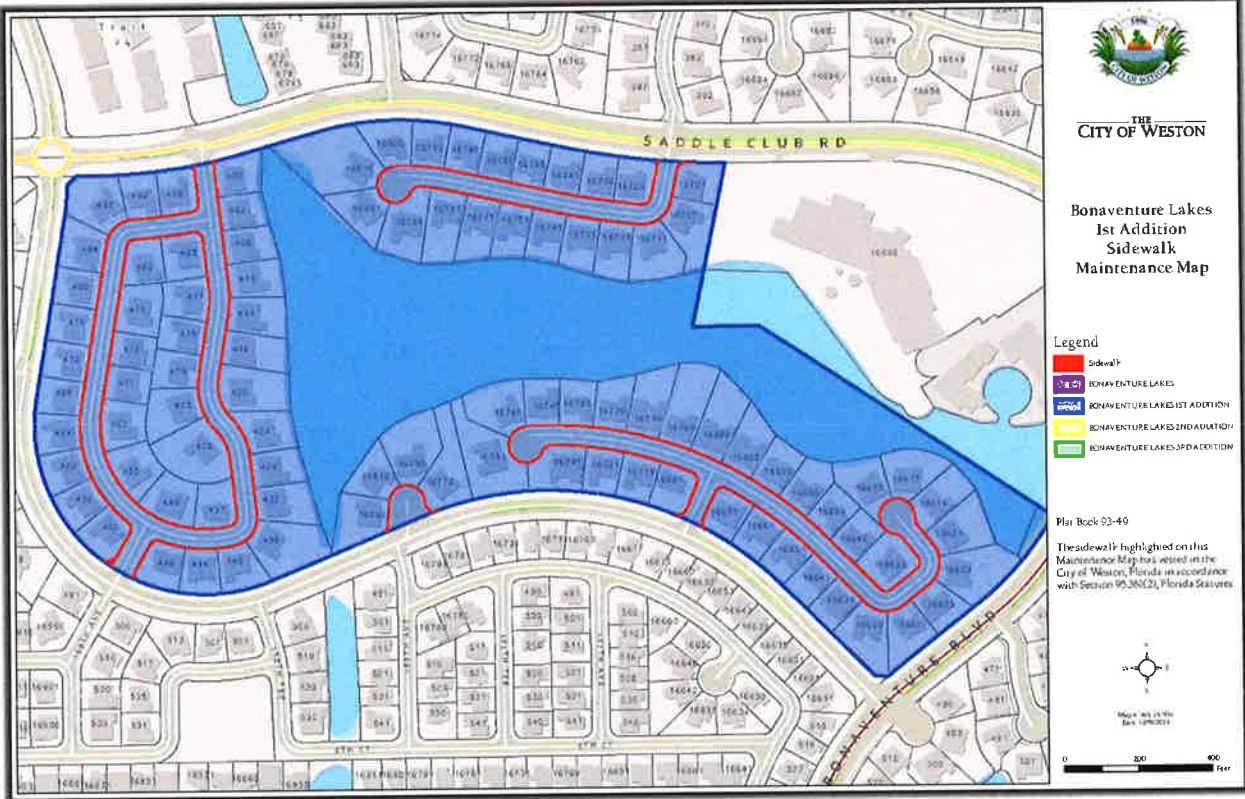
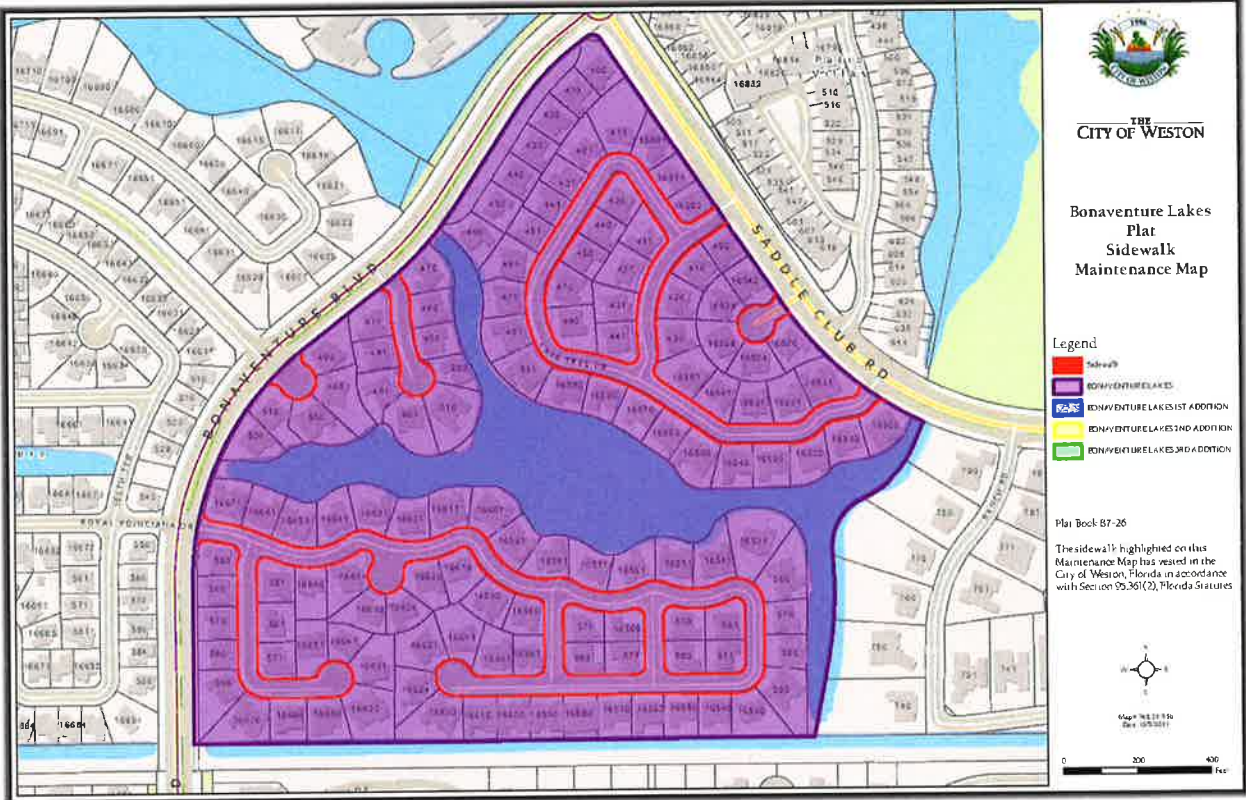
Commissioner Mead	<u>Yes</u>
Commissioner Eddy	<u>Yes</u>
Commissioner Molina-Macfie	<u>Yes</u>
Commissioner Jaffe	<u>Yes</u>
Mayor Brown	<u>Yes</u>

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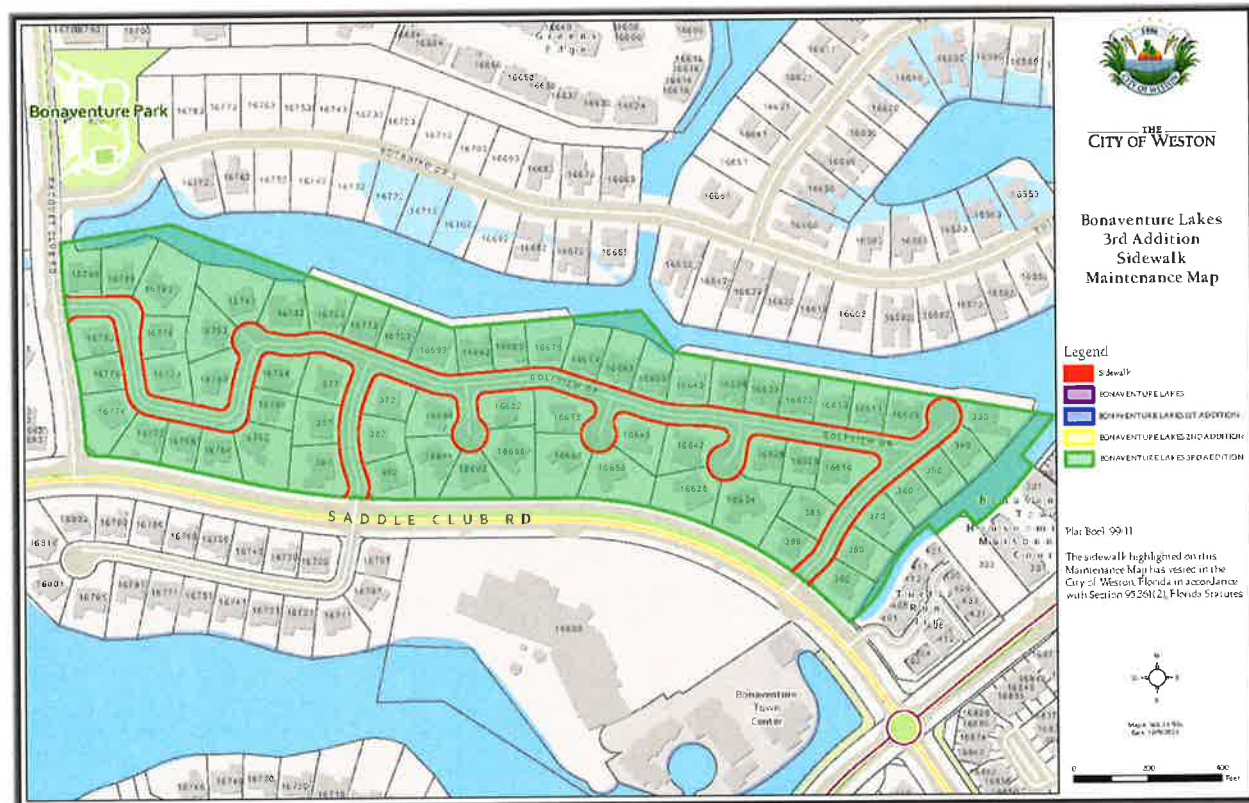
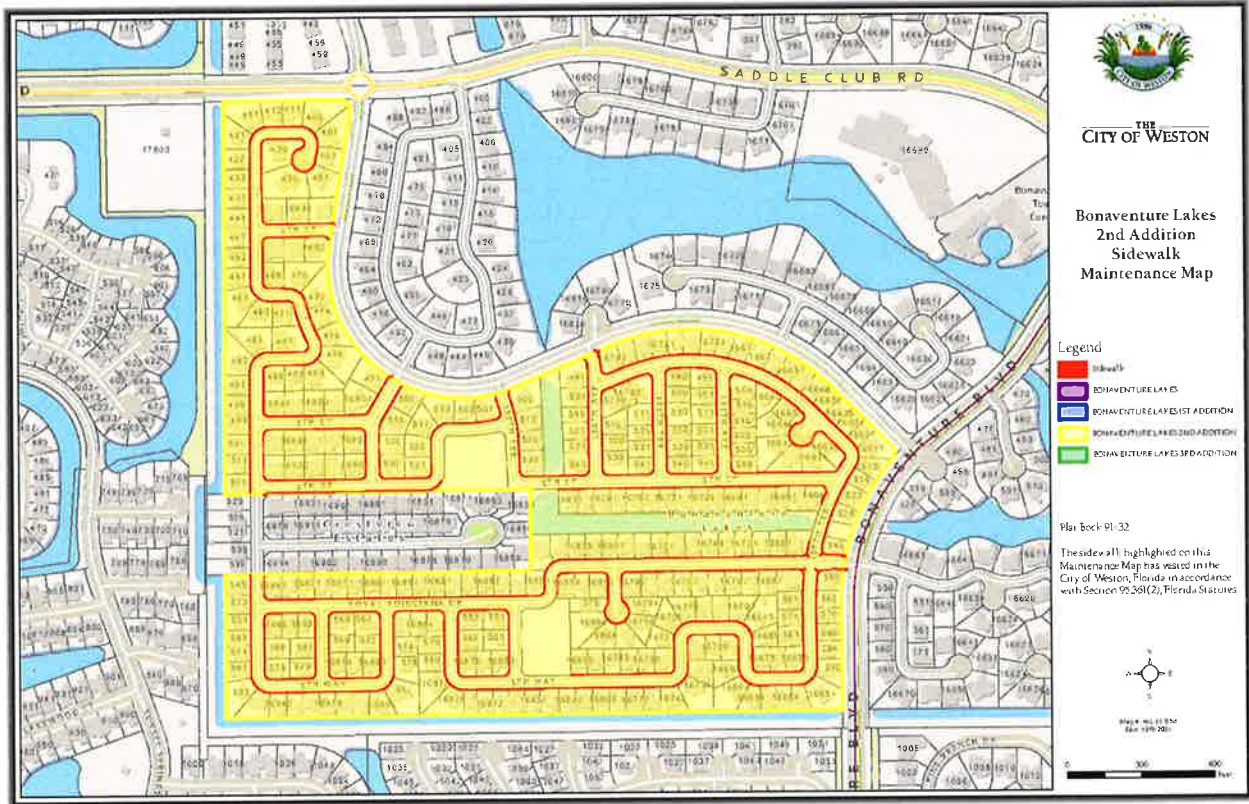
EXHIBIT A
MAINTENANCE MAP



A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING AND CERTIFYING A MAINTENANCE MAP IDENTIFYING CERTAIN SIDEWALKS WITHIN BONAVENTURE AND THEREBY VESTING OWNERSHIP IN THE CITY IN ACCORDANCE WITH SECTION 95.361, FLORIDA STATUTES; AUTHORIZING THE FILING THEREOF IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR BROWARD COUNTY, FLORIDA.



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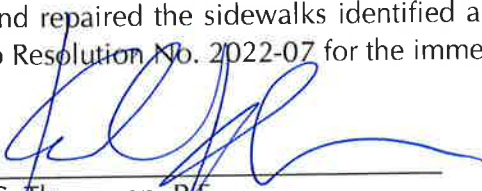


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EXHIBIT B

AFFIDAVIT

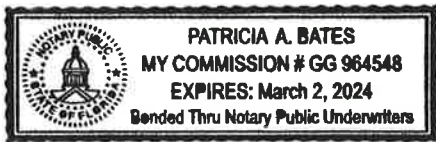
THIS IS TO CERTIFY THAT I, Karl C. Thompson, Assistant City Manager/COO of the City of Weston, Florida, have determined, to the best of my knowledge, that the City of Weston has maintained and repaired the sidewalks identified and shown in the Maintenance Map attached as Exhibit "A" to Resolution No. 2022-07 for the immediate past seven (7) years.



Karl C. Thompson, P.E.
Assistant City Manager/COO
City of Weston, Florida

STATE OF FLORIDA
COUNTY OF BROWARD

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 20th day of January, 2022, by Karl C. Thompson.





(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification
Type of Identification Produced: _____