

**RESOLUTION NO. 2012- 003**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AUTHORIZING THE TOWN, AS OWNER OF A CERTAIN RIGHT-OF WAY, TO REPLACE THE EXISTING SECURITY BARRICADE LOCATED ALONG THE NORTH SIDE OF STIRLING ROAD FROM SOUTHWEST 195<sup>TH</sup> TERRACE TO SOUTHWEST 198<sup>TH</sup> TERRACE WITH A MORE SECURE STRUCTURE, AND TO INSTALL AN EMERGENCY VEHICULAR ACCESS GATE AT STIRLING ROAD AND 195<sup>TH</sup> TERRACE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE DECLARATION OF COVENANTS AND RESTRICTIONS ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

**WHEREAS**, the Town is the owner of a certain road right-of-way located in the Town of Southwest Ranches in Broward County, Florida known as Stirling Road, from Southwest 195<sup>th</sup> Terrace to Southwest 198<sup>th</sup> Terrace (hereinafter "Property"); and

**WHEREAS**, there are ongoing life safety issues associated with the vandalism of the existing security fence located along the north side of Stirling Road from Southwest 195<sup>th</sup> Terrace to Southwest 198<sup>th</sup> Terrace, which enables unlawful cut through traffic; and

**WHEREAS**, it is in the best interest of the Town to protect the security of its residents and to install a permanent barrier in place of the existing security fence, together with an emergency vehicular access gate at 195<sup>th</sup> Terrace and providing access to pedestrian and equestrian traffic; and

**WHEREAS**, the Town also desires to install an emergency vehicular access gate at Stirling Road and 195<sup>th</sup> Terrace; and

**WHEREAS**, to ensure that 195<sup>th</sup> Terrace will never be opened to non-emergency vehicular traffic; and

**WHEREAS**, the Town Council believes that the permanent gate is in the best interest of the health, safety, and welfare, of its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1:** The above referenced recitals are true and correct and are incorporated herein by reference.

**Section 2:** The Town Council hereby approves the installation of a permanent barricade along the north side of Stirling Road from Southwest 195<sup>th</sup> Terrace to Southwest 198<sup>th</sup> Terrace and an emergency vehicular access gate at Southwest 195<sup>th</sup> Terrace and Stirling Road, with the following conditions:

- A. After installation by the TOWN, the TOWN shall maintain, along the north side of Stirling Road from Southwest 195<sup>th</sup> Terrace to Southwest 198<sup>th</sup> Terrace, the permanent barricade, together with an emergency vehicular access gate at 195<sup>th</sup> Terrace and access to accommodate pedestrian and equestrian traffic.
- B. The emergency vehicular access gate shall remain locked at all times and all emergency agencies, which provide services to the Town, shall be given special accessibility.
- C. Public access along the north side of Stirling Road from S.W. 195<sup>th</sup> Terrace to S.W. 198<sup>th</sup> Terrace shall be prohibited.
- D. The Town Engineer shall review and determine how far west the permanent barricade will be installed.

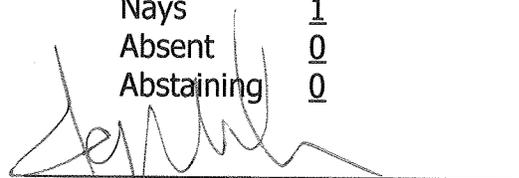
**Section 3:** The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into an agreement for the installation of the permanent barricade and emergency vehicular access gate, and to make such modifications, additions and/or deletions to the agreement which they deem necessary to effectuate the intent of this Resolution.

**Section 4:** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 13<sup>th</sup> day of October, 2011, on a motion to approve made by Council Member Breitkreuz and seconded by Vice Mayor McKay.

Nelson	<u>NO</u>
Fisikelli	<u>YES</u>
Breitkreuz	<u>YES</u>
Jablonski	<u>YES</u>
McKay	<u>YES</u>

Ayes	<u>4</u>
Nays	<u>1</u>
Absent	<u>0</u>
Abstaining	<u>0</u>



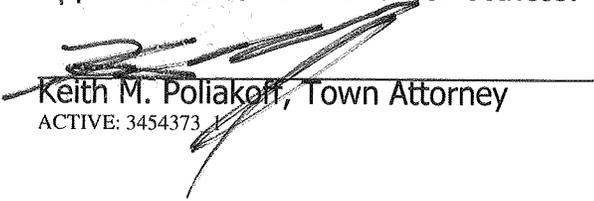
Jeff Nelson, Mayor

ATTEST:



Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, Town Attorney

ACTIVE: 3454373