



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
954-972-6454  
www.margatefl.com

## Legislation Text

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**TO:** Mayor and City Commission

**FROM:** Samuel A. May, Interim City Manager

**DATE:** September 27, 2017

APPROVING AND AUTHORIZING THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANTS FOR PRIVATE PAVED ROADWAYS AND ACCESS FOR THE PURPOSE OF PROVIDING ACCESS FROM THE CITY'S SPORTS COMPLEX PARK TO PARCEL "A" OF THE HAIG & DUKE PLAT AS REQUIRED BY BROWARD COUNTY FOR THE COVERED SPORTS FIELD PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

**BACKGROUND:** The proposed covered sports field will be constructed by the Margate Community Redevelopment Agency on CRA owned property at 1675 Banks Road, adjacent to the City's Sports Complex. In order to move forward with the final permitting and construction of the facility, it was necessary to obtain Broward County approval to modify and extend the underlying plat, which was originally designated for industrial use and for which concurrency had expired in 2009. This approval from the County was secured on September 14, 2017.

Under its original industrial use, access to the property was directly off of Banks Road, at the southeast corner of the property. With the design of the new covered sports field, however, the property now will become an integral part of the City's Sports Complex, with ingress/egress over the existing entrance road to the complex. Although the covered sports field will become part of the Sports Complex, and will ultimately be under the common ownership of the City, at this time it is owned separately by the CRA and thus dependent on access from the City. For this reason, the County is requiring that the City dedicate a perpetual access easement over a portion of its roadway to provide legal access to the CRA plat. The County Attorney has an approved form for this type of easement dedication: "Declaration of Restrictive Covenants for Private Roadways and Access."

**RECOMMENDATION:** Approve the Resolution authorizing the execution of the Declaration of Restrictive Covenants for Private Paved Roadways and Access.

**FISCAL IMPACT:** N/A

**CONTACT PERSON:** Cotter Christian, CRA Project Manager  
954-969-3638