

ORDINANCE NO. C-14

AN ORDINANCE VACATING, ABANDONING AND CLOSING A RIGHT-OF-WAY CONVEYED TO THE CITY OF FORT LAUDERDALE BY WARRANTY DEED RECORDED IN THE OFFICIAL RECORDS BOOK 5642, PAGE 174, OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF AND ADJACENT TO THE SOUTH RIGHT-OF-WAY LINE OF SOUTHWEST 2ND COURT, EAST OF SOUTHWEST 27TH AVENUE AND WEST OF SOUTHWEST 26TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, GDC Broward RB LLC, Les Wills Riverland Bait Tackle & Gun Shop, Inc./Riverbend Marketplace, applied for the vacation of certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of December 18, 2013 (PZ Case No. 15-P-13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described right-of-way subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, February 4, 2014, and Tuesday, February 18, 2014, at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the Unified Land Development Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the below-described right-of-way is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

See Exhibit "A" attached hereto
and made a part hereof

Location: South of and adjacent to the centerline of S.W. 2nd Court,
east of S.W. 27th Avenue and west of S.W. 26th Avenue

SECTION 2. That the City shall retain a temporary utility easement over the above-described right-of-way until such time as a Certificate is executed by the City Engineer and recorded in the Public Records of Broward County evidencing that all conditions for the termination of the temporary easement listed on Exhibit "B" have been met.

SECTION 3. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect upon adoption.

PASSED FIRST READING this the _____ day of _____, 2014.

PASSED SECOND READING this the _____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

K.O.
OK

LEGAL DESCRIPTION TO ACCOMPANY SKETCH
PORTION OF THE NORTHEAST 1/4 OF
SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

LEGAL DESCRIPTION:

ALL THAT PORTION OF THE LAND RECORDED IN OFFICIAL RECORDS BOOK 5642, PAGE 174, BROWARD COUNTY, FLORIDA, LYING 37.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 8; THENCE SOUTH 01°15'07" EAST, ALONG THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 929.77 FEET; THENCE NORTH 87°47'47" EAST, A DISTANCE OF 37.00 FEET TO A POINT ON THE CENTERLINE OF SOUTHWEST 2ND COURT, AS SHOWN ON WOODLAND PARK UNIT ONE, AS RECORDED IN PLAT BOOK 10 AT PAGE 64, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87°47'47" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 118.00 FEET; THENCE SOUTH 01°15'07" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°47'47" WEST, A DISTANCE OF 100.33 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 63°12'23", A DISTANCE OF 22.08 FEET TO THE END OF SAID CURVE AND INTERSECTION WITH A LINE LYING 37.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8; THENCE NORTH 01°15'07" WEST, ALONG SAID LINE, A DISTANCE OF 30.99 FEET TO AN INTERSECTION WITH SAID CENTERLINE OF SOUTHWEST 2ND COURT AND THE POINT OF BEGINNING.

CONTAINING 2,415 SQUARE FEET OR 0.05543 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/1980 ADJUSTMENT), BASED UPON THE CENTERLINE OF S.W. 2ND STREET BEING NORTH 87°47'47" EAST.

2. THE DEED BEARINGS RECORDED IN O.R.B. 5642, PAGE 174 ARE ROTATED 02°12'27" COUNTERCLOCKWISE TO MATCH GRID BEARINGS SHOWN HEREON.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

THIS IS NOT A SURVEY

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK B. MEEDS, P.S.M.
FLORIDA LICENSE No. LS - 4728
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 8705

Patrick B. Meeds

PATRICK B. MEEDS

PROFESSIONAL SURVEYOR AND MAPPER

11/18/13

DATE OF SIGNATURE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CREECH
ENGINEERS, INC.
CIVILIZATION ENGINEERED

7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6139
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0006795

PORTION OF O.R.B. 5642, PAGE 174
RIGHT-OF-WAY VACATION

BROWARD COUNTY

FLORIDA

PROJECT NO. 12018.00

DATE: JAN. 22, 2013

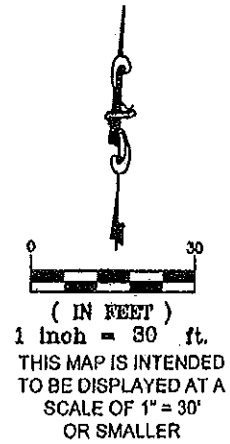
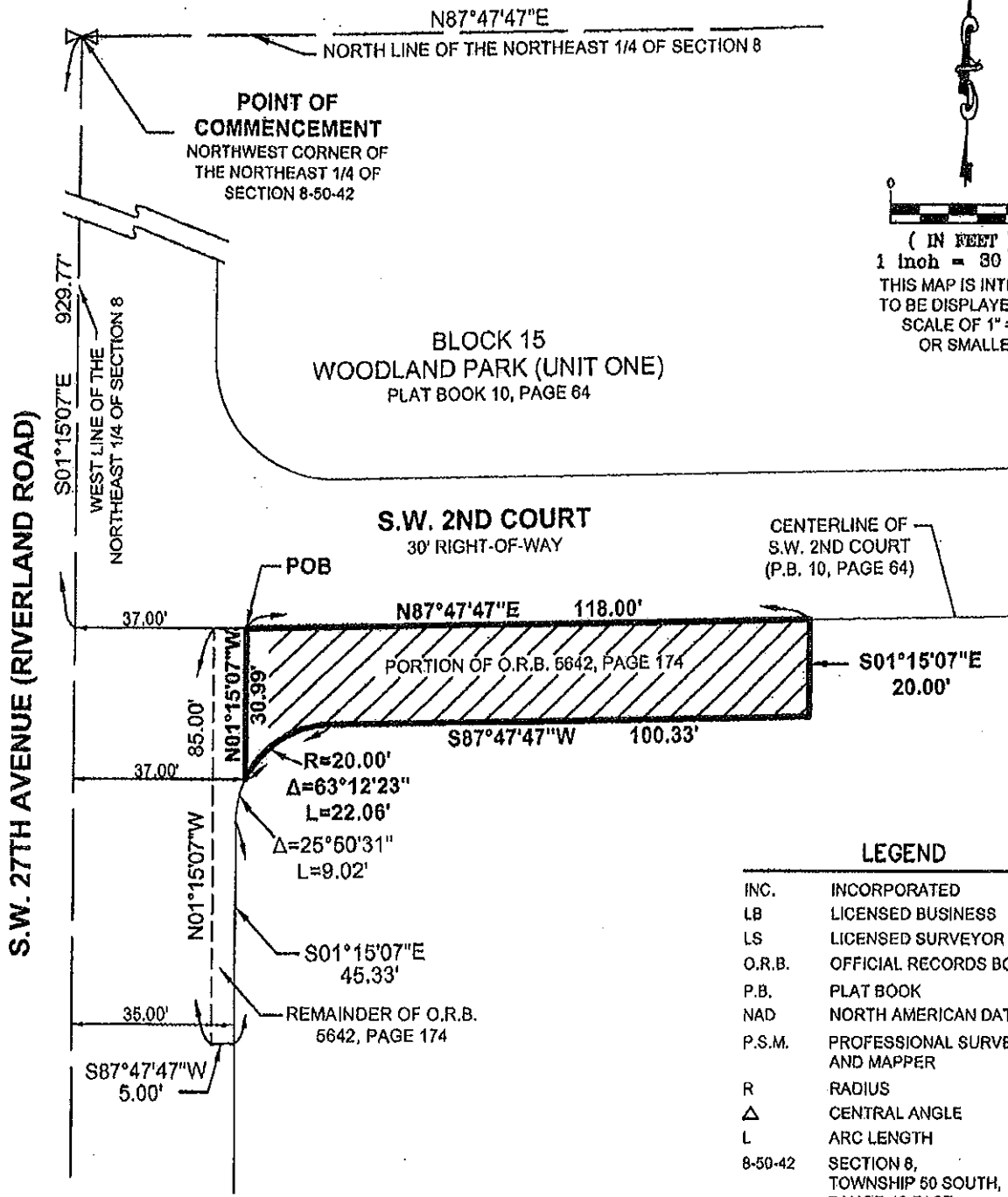
CADD FILE 12018_SKT & DESC_RW_ABAND

SCALE: N/A

SHEET 1 OF 2

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

m.o.
o.k.



S.W. 27TH AVENUE (RIVERLAND ROAD)

S.W. 2ND COURT
30' RIGHT-OF-WAY

CENTERLINE OF
S.W. 2ND COURT
(P.B. 10, PAGE 64)

PORTION OF O.R.B. 5642, PAGE 174

S01°15'07\"E
20.00'

R=20.00'
Δ=63°12'23\"
L=22.06'
Δ=25°50'31\"
L=9.02'

S01°15'07\"E
45.33'

REMAINDER OF O.R.B.
5642, PAGE 174

LEGEND

- INC. INCORPORATED
- LB LICENSED BUSINESS
- LS LICENSED SURVEYOR
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- NAD NORTH AMERICAN DATUM
- P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- 8-50-42 SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST

NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

THIS IS NOT A SURVEY

CREECH
ENGINEERS, INC.
CIVILIAN ENGINEERED

7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6130
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0008703

PORTION OF O.R.B. 5642, PAGE 174
RIGHT-OF-WAY VACATION

BROWARD COUNTY FLORIDA
PROJECT NO. 12016.00 DATE: JAN. 22, 2013
CADD FILE: 12016_SKT & DESC_RW_ARAND SCALE: 1\"/>

EXHIBIT "B"

**CONDITIONS OF APPROVAL
CASE NO. 15-P-13**

1. Any city infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department, and as approved by the City Engineer.

2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider, and as approved by the City Engineer.