

RESOLUTION NO. 15-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN PLATTED 12 FOOT DRAINAGE EASEMENT BEING THE NORTH 6.00 FEET OF LOT 11 AND THE SOUTH 6.00 FEET OF LOT 12, BLOCK 12 "THE LANDINGS FIRST SECTION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 56, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF EAST COMMERCIAL BOULEVARD, EAST OF NORTHEAST 33<sup>RD</sup> AVENUE, WEST OF THE INTRACOASTAL WATERWAY AND SOUTH OF NORTHEAST 56<sup>TH</sup> COURT, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, Thomas D. Hormel is applying for the vacation of a drainage easement (PZ Case No. E15003) more fully described in Section 1, below associated with the development known as Hormel Residence; and

WHEREAS, pursuant to the provisions of the aforementioned Section 47-24.7 of the ULDR, all utilities known to have an interest have been notified and have no objection to the vacation of the easement; and

WHEREAS, the City Engineer has certified that there is no objection to the vacation; and

WHEREAS, the Department of Sustainable Development has made the required reports and has also recommended the vacation of the easement, certifying that the same will not be required to serve the property;

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

SECTION 1. That the below described easement is hereby vacated and shall no longer constitute an easement for drainage:

See Exhibit attached hereto and made a part hereof

Location: North of Commercial Boulevard, east of N.E. 33<sup>rd</sup> Avenue, west of the Intracoastal Waterway and South of N.E. 56<sup>th</sup> Court.

SECTION 2. That a copy of this Resolution shall be recorded in the Public Records of Broward County, at the applicant's expense, within 30 days from the date of final passage.

SECTION 3. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 4. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

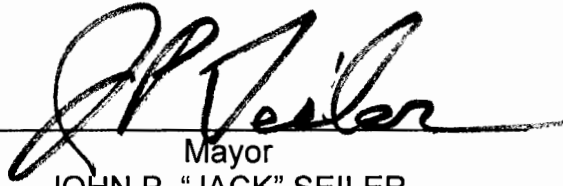
SECTION 5. That this vacation shall be in full force and effect on the date a certificate of the City Engineer is recorded in the public records of Broward County evidencing that all conditions of the vacation set forth below have been satisfied:

- (a) 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.
- (b) 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.

- (c) Applicant shall convey a 12-foot drainage easement along the north property line of Lot 12 to replace the easement to be vacated, the location to be approved by the City Public Works Department, by an instrument approved by the City Attorney's Office.

ADOPTED this the 18th day of August, 2015.

  
\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:



\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI



**McLAUGHLIN ENGINEERING COMPANY**  
**LEADS**

ENGINEERING • SURVEYING • PLATTING • LAND PLANNING  
 600 W. 1st AVENUE FORT LAUDERDALE, FLORIDA 33304  
 PHONE (954) 782-2871 • FAX (954) 782-2878

M.D.  
 O.K.

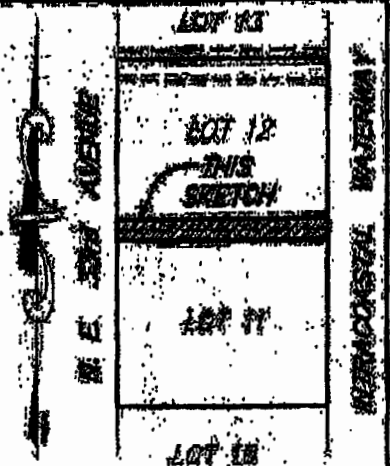
SCALE 1" = 30'

**SKETCH AND DESCRIPTION**  
**TO ACCOMPANY VACATION PETITION**  
**12' PLATTED DRAINAGE EASEMENT**  
**LOTS 11 & 12, BLOCK 12,**  
**THE LANDING FIRST SECTION**  
**(PLAT BOOK 55, PAGE 4, B.G.R.)**

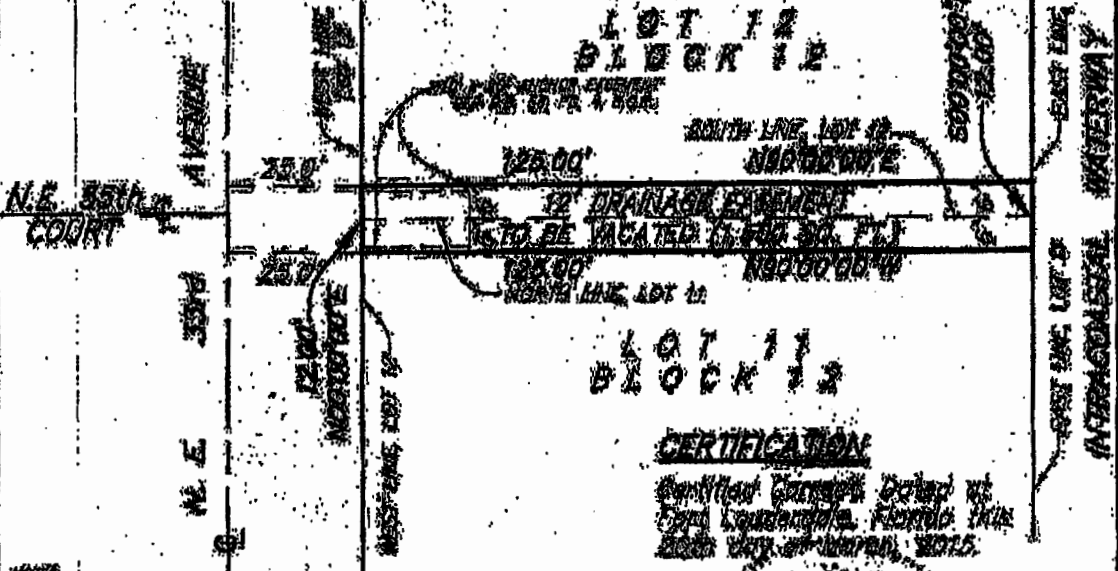
**LEGAL DESCRIPTION:**

The North 3.50 feet of Lot 11 and the South 3.50 feet of Lot 12, Block 12, THE LANDING, FIRST SECTION, containing in the plat thereof as recorded in Plat Book 55, Page 4, of the public records of Broward County, Florida.

Said lands situate, being and being in the City of Fort Lauderdale, Broward County, Florida and containing 7,800 square feet or 0.1782 acres more or less.



**SITE LAYOUT**  
**NOT TO SCALE**



**CERTIFICATION**

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Florida, do hereby certify that the above is a true and correct copy of the original records of the public records of Broward County, Florida.

*McLaughlin Engineering Company*  
 [Signature]  
 [Name]  
 [Title]

- NOTES**
- The owner of the subject property is responsible for the accuracy of the information provided in this plat.
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FIELD BOOK NO. \_\_\_\_\_  
 DRAWING NO. \_\_\_\_\_  
 REV. \_\_\_\_\_

DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 DATE \_\_\_\_\_