

1916

RESOLUTION NO. 19-192

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE ALLEY EASEMENT CONVEYED BY EASEMENT DEED RECORDED IN OFFICIAL RECORDS BOOK 28950, PAGE 1617, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, LOCATED WEST OF NORTHEAST 1<sup>ST</sup> AVENUE, NORTH OF NORTHEAST 6<sup>TH</sup> STREET (EAST SISTRUNK BOULEVARD), EAST OF NORTH ANDREWS AVENUE AND SOUTH OF NORTHEAST 7<sup>TH</sup> STREET, ALL LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), FV Development, LLC is applying for the vacation of an easement (Case No. E18022) more fully described in SECTION 2 below, located at 640 North Andrews Avenue, Fort Lauderdale, Florida; 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. The City Commission finds that the application for vacation of easement meets the criteria of Section 47-24.7 of the ULDR as enunciated and memorialized in the minutes of its meeting of September 17, 2019, a portion of those findings expressly listed as follows:

1. The easement area is no longer needed for public purpose. The portion of the easement area being vacated is completely located on the subject property. In addition, the right-of-way is not needed for utilities, governmental, and emergency ingress or egress. The applicant has received a letter of no objection from the City of Fort Lauderdale Utilities Division as a condition of approval, the utilities

within the easement, as specified in the letter will be relocated, removed, or abandoned at the developer's expense; and

2. The applicant has received letters of no objection from all applicable franchise utilities and has provided a site plan which indicates the abandonment of the sewer line and the FPL poles to be rerouted underground. The franchise utility letters of no objection and site plan are included within Exhibit 1 to Commission Agenda Memorandum No. 19-0850.

SECTION 2. That the below described easement is hereby vacated and shall no longer constitute an easement for right-of-way, utilities, and all other public purposes, subject to the conditions provided in SECTION 3 of this resolution:

THE EASEMENT IN LOT 15 AND A PORTION OF LOT 16, BLOCK 319, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, CONVEYED BY AN EASEMENT DEED RECORDED IN OFFICIAL RECORDS BOOK 28950, PAGE 1617, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Northeast 1<sup>st</sup> Avenue, north of Northeast 6<sup>th</sup> Street (East Sistrunk Boulevard), east of North Andrews Avenue and south of Northeast 7<sup>th</sup> Street, Fort Lauderdale, Broward County, Florida

SECTION 3. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

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 easements will be dedicated, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.

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 easements will be dedicated, and the relocated

facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

SECTION 4. That a copy of this Resolution shall be recorded in the Public Records of Broward County within 30 days from the date of final passage.

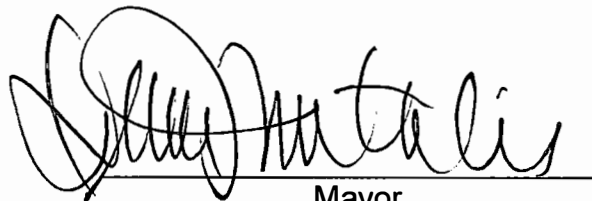
SECTION 5. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain 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 6. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 8. That if any clause, section, or other part of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution shall not be affected thereby, but shall remain in full force and effect.

ADOPTED this the 17th day of September, 2019.



Mayor  
DEAN J. TRANTALIS

ATTEST:



City Clerk  
JEFFREY A. MODARELLI

m. J. v. k.



SKETCH AND LEGAL DESCRIPTION  
BY  
**PULICE LAND SURVEYORS, INC.**

5381 NOB HILL ROAD  
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



**LEGAL DESCRIPTION:**

ALL OF LOT 15, BLOCK 319, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA;

TOGETHER WITH A PORTION OF LOT 16 OF SAID BLOCK 319, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 16, THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 16, A DISTANCE OF 25.00 FEET; THENCE SOUTHWESTERLY, MAKING AN INCLUDED ANGLE OF 45°00'00", A DISTANCE OF 35.36 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE NORTHERLY, MAKING AN INCLUDED ANGLE OF 45°00'00", A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 3,500 SQUARE FEET, MORE OR LESS.

**NOTES:**

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) ALL RECORDED DOCUMENTS ARE PER THE PUBLIC RECORDS OF BROWARD COUNTY, UNLESS OTHERWISE NOTED.

<b>FILE: HTG VILLAGE VIEW, LLC</b>	
<b>SCALE: N/A</b>	<b>DRAWN: L.S.</b>
<b>ORDER NO.: 65378C</b>	
<b>DATE: 11/6/18; REV 7/10/19</b>	
<b>EASEMENT VACATION.</b>	
<b>FT LAUDERDALE, BROWARD COUNTY, FLORIDA</b>	
<b>FOR: VILLAGE VIEW</b>	

**SHEET 1 OF 3**

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 3, INCLUSIVE

*Beth Burns*

- JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
- BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
- VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274  
STATE OF FLORIDA

n.s. D. O.K.

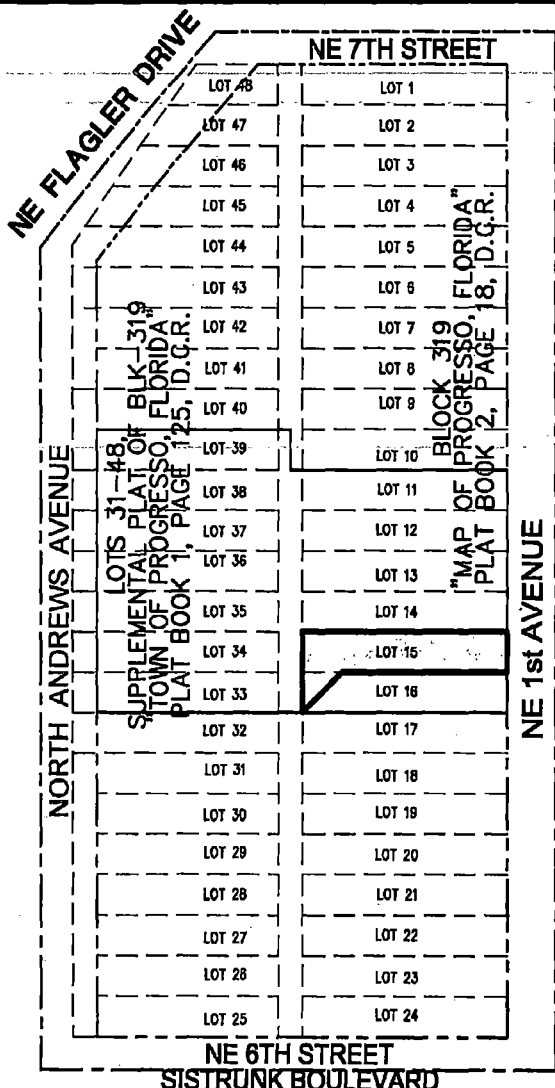


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**LOCATION SKETCH**  
NOT TO SCALE

FILE: HTG VILLAGE VIEW, LLC	
SCALE: N/A	DRAWN: L.S.
ORDER NO.: 65378B	
DATE: 11/6/18; REV 7/10/19	
EASEMENT VACATION	
FT LAUDERDALE, BROWARD COUNTY, FLORIDA	
FOR: VILLAGE VIEW	

SHEET 2 OF 3

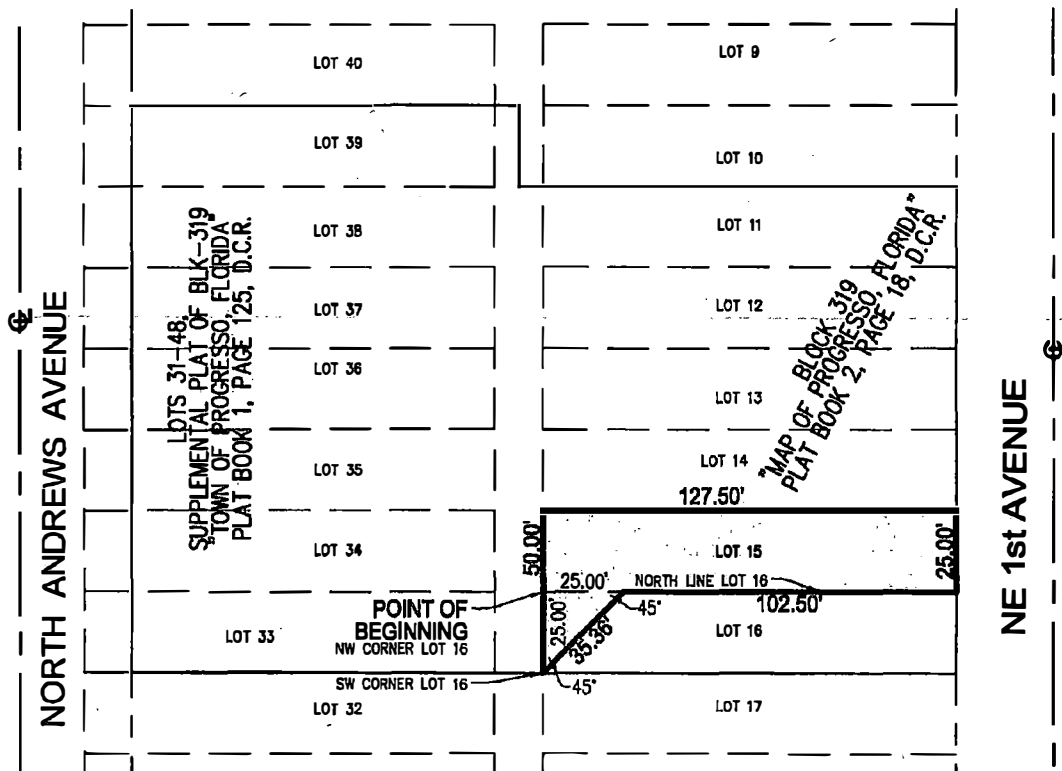
THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 3, INCLUSIVE

M.O.D.K.



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 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



FILE: HTG VILLAGE VIEW, LLC  
 SCALE: 1"=50' | DRAWN: L.S.  
 ORDER NO.: 65378C  
 DATE: 11/8/18; REV 7/10/19  
 EASEMENT VACATION  
 FT LAUDERDALE, BROWARD COUNTY, FLORIDA  
 FOR: VILLAGE VIEW

SHEET 3 OF 3  
 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 THRU 3, INCLUSIVE  
 LEGEND:  
 Ⓢ CENTERLINE  
 O.R.B. OFFICIAL RECORDS BOOK  
 D.C.R. DADE COUNTY RECORDS