

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN 3 FOOT WIDE PLATTED SEWER EASEMENT IN LOT 7, BLOCK BA, "SEABRIDGE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21 AT PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF NORTHEAST 9<sup>TH</sup> COURT, SOUTH OF EAST SUNRISE BOULEVARD, WEST OF NORTH BIRCH ROAD AND EAST OF THE INTRACOASTAL WATERWAY, ALL SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), Sunrise FTL Ventures LLLP is applying for the vacation of all of the platted sewer easement (Case No. UDP-EV21005) more fully described in SECTION 2 below, located north of Northeast 9<sup>th</sup> Court, south of East Sunrise Boulevard, west of North Birch Road and east of the Intracoastal Waterway, 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 August 10, 2021.

SECTION 2. That the below described easements are hereby vacated and shall no longer constitute easements for utilities, and utility and roadway, subject to the conditions provided in SECTION 3 of this resolution:

THAT CERTAIN 3 FOOT WIDE PLATTED SEWER EASEMENT IN LOT 7, BLOCK BA, "SEABRIDGE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21 AT PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of Northeast 9<sup>th</sup> Court, south of East Sunrise Boulevard, west of North Birch Road and east of the Intracoastal Waterway.

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 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 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.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_

Heather Moraitis \_\_\_\_

Steven Glassman \_\_\_\_

APPROVED AS TO FORM:

Robert L. McKinzie \_\_\_\_

\_\_\_\_\_  
City Attorney  
ALAIN E. BOILEAU

Ben Sorensen \_\_\_\_

# SKETCH & LEGAL DESCRIPTION EASEMENT CLOSURE EXHIBIT "A"

SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST  
Folio# #5042-01-14-0120

M.D.O.K.

## LEGAL DESCRIPTION:

The Westerly 3.0 feet of the Easterly 5.5 feet of Lot 7, Block BA, according to the plat of 'SEABRIDGE', according to the Plat thereof recorded in Plat Book 21 at Page 46 of the Public Records of Broward County, Florida, in Section 1, Township 50 South, Range 42 East. Said easement shown on aforementioned plat as a "Sewer Easement".

Said parcel containing 300 square feet, more or less.

## SURVEYOR'S NOTES:

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 3) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 4) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 5) The North arrow shown hereon is based on recorded plat of "SEABRIDGE", according to the plat thereof as recorded in Plat Book 21, Page 46, Public Records of Broward County, Florida.

NOTE: This Sketch is NOT A BOUNDARY SURVEY.

## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT: in the professional opinion of the undersigned Professional Surveyor and Mapper in the State of Florida, the following Sketch and Legal Description meets the requirements of the Standards of Practice 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. Copies of this Sketch and Legal Description are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Dated 05/21/21

JACOB GOMIS  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231

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**ROYAL POINT**  
LAND SURVEYORS, INC.

LB #7282

6175 NW 153rd STREET SUITE 321, MIAMI LAKES, FL. 33014  
PHONE: 305-822-6062 \* FAX: 305-827-9669

JB NO. RP-21-0816

Exhibit "A"

CAM # 22-0464

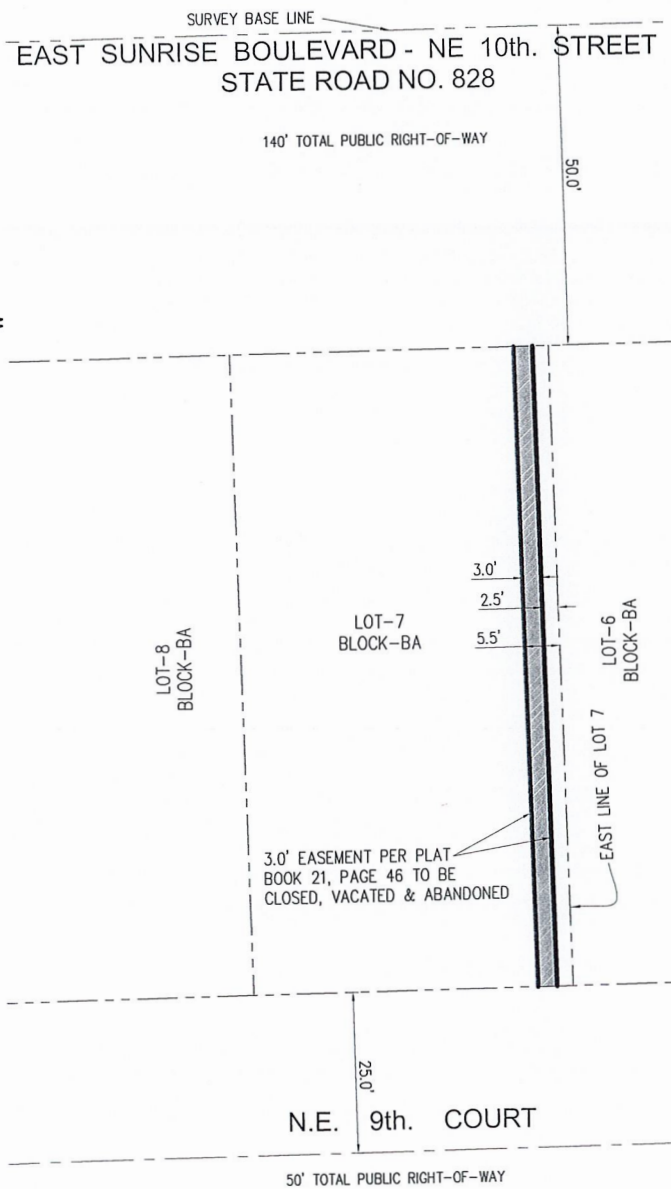
Exhibit 5

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# SKETCH & LEGAL DESCRIPTION EASEMENT CLOSURE EXHIBIT "A"

SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST  
Folio# #5042-01-14-0120

*M.D.D.K.*



SCALE: 1" = 30'

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----- Dated 05/21/21  
**JACOB GOMIS**  
 Professional Surveyor & Mapper  
 State of Florida Reg. No. 6231

NOTE: This Sketch is NOT A BOUNDARY SURVEY.

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