

RESOLUTION NO. 15-165

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AGREEMENT WITH BRICKELL LOT, LLC (BRICKELL) AMENDING THE BOUNDARY LINE BETWEEN LOT 17 AND LOT 18 OF COLEE HAMMOCK PLAT, PURSUANT TO SECTION 8.21, CODE OF ORDINANCE OF THE CITY OF FORT LAUDERDALE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ANY AND ALL INSTRUMENTS OR DOCUMENTS REASONABLY NECESSARY OR INCIDENTAL TO RESOLUTION OF THE BOUNDARY LINE DISPUTE AS SET FORTH IN THE AGREEMENT.

WHEREAS, it is recommended that the City Commission approve an agreement with Brickell Lot, LLC (Brickell) amending the boundary line between Lot 17 and Lot 18 of Colee Hammock Plat, pursuant to Section 8.21, Code of Ordinance of the City of Fort Lauderdale, and authorize the City Manager to execute the agreement on behalf of the City of Fort Lauderdale; and

WHEREAS, Brickell owns Lots 18 and 19 of Block 36 of the Colee Hammock Plat recorded in Plat Book 1, Page 17 of the public records of Broward County, Florida located at 1322 Brickell Drive ("Brickell Property"); and

WHEREAS, the City of Fort Lauderdale ("City") owns Lots 14, 15, 16 and 17 of Block 36 of the Colee Hammock Plat recorded in Plat Book 1, Page 17 of the public records of Broward County, Florida upon which it operates Colee Hammock Park ("City Property"); and

WHEREAS, the above referenced Plat of Colee Hammock was recorded approximately ninety-four years ago and has no specific measurements shown for Lot 18; and

WHEREAS, Brickell and the City have, in the past, had conflicting opinions on the exact location of the boundary between the Brickell Property and the City Property and specifically the location of the boundary line between Lot 17 and Lot 18 of the Colee Hammock Plat; and

WHEREAS, the disputed area is shown on Exhibit A-1, attached hereto and made a part hereof ("Disputed Area"), and Brickell and/or its predecessor, are currently and have in the past been paying real estate taxes based on Brickell, or its predecessor, owning all of the Disputed Area; and

WHEREAS, the parties wish to amicably resolve the exact location of the boundary in a way which assures that there is certainty as to the boundary line;

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

SECTION 1. That the City Commission of the City of Fort Lauderdale unanimously approves the Boundary Line Settlement Agreement with Brickell Lot, LLC (Brickell) amending the boundary line between Lot 17 and Lot 18 of Colee Hammock Plat, pursuant to Section 8.21, Code of Ordinance of the City of Fort Lauderdale.

SECTION 2. That the City Commission hereby authorizes the City Manager to execute the Agreement on behalf of the City of Fort Lauderdale and authorizes the City Manager to execute and deliver any and all instruments or documents reasonably necessary or incidental to resolution of the boundary line dispute as set forth in the Agreement.

SECTION 3. That any and all Resolutions in conflict herewith are hereby repealed.

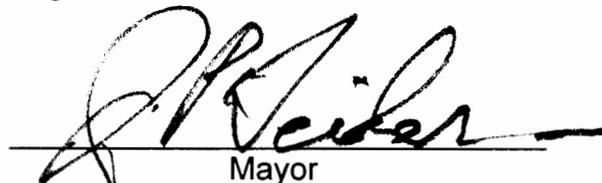
SECTION 4. That this Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 18th day of August, 2015.

ATTEST:



City Clerk
JEFFREY A. MODARELLI



Mayor
JOHN P. "JACK" SEILER



McLAUGHLIN ENGINEERING COMPANY
 400 NORTHEAST 3rd AVENUE
 FORT LAUDERDALE, FLORIDA, 33301
 ENGINEERS - SURVEYORS
 (LB# 285)

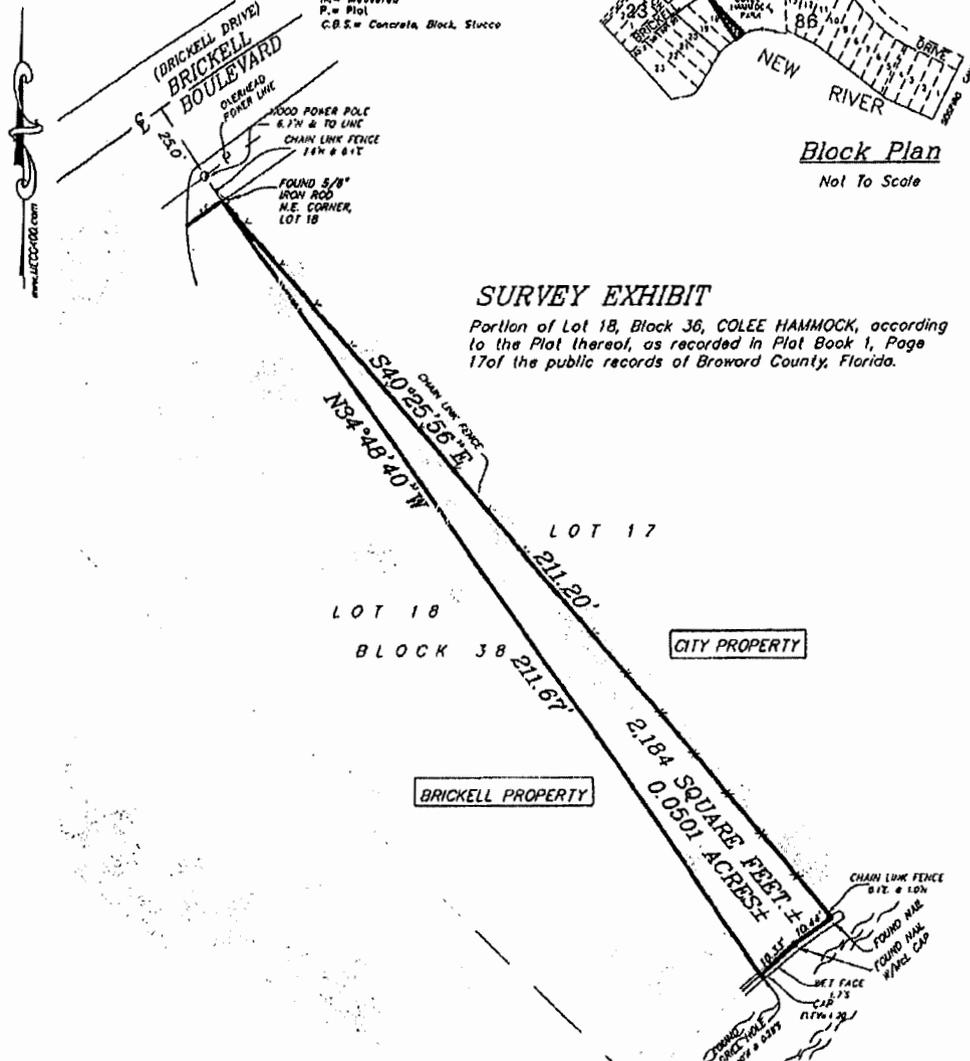
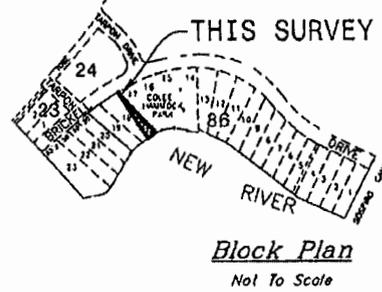
SURVEY EXHIBIT A-1
"DISPUTED AREA"

PHONE: (954) 763-7611

FAK: (954) 763-7615

o Indicates Marker
 Scale 1" = 30'

Legend
 Mol. Cap. = McLaughlin Cap
 Elev. = Elevation
 W/ = W/4
 O/S = Offset
 Con. = Concrete
 M. = Measured
 P. = Pin
 C.B.S. = Concrete Block Stucco



NOTES:

1. This survey reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.
2. Legal Description does not infer Title or Ownership.
3. Underground Improvements, if any, not located.
4. Bearings shown hereon refer to assumed Datum and assume the East Line of Lot 18 as South 34°48'40" East.

CERTIFICATION:

We hereby certify that this survey meets the "Standards of Practice" as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J-17.05 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 27th day of May, 2015.

McLAUGHLIN ENGINEERING CO.

Jerald A. McLaughlin
 Registered Land Surveyor No. 5269
 State of Florida

"NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL"

FIELD BOOK NO. N/A
 JOB ORDER NO. V-0326
 C:\RAY\2015\VO326.dwg 5/27/2015 12:59:48 PM EST

DRAWN BY: RT
 CHECKED BY: _____