

RESOLUTION NO. 22-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN 10 FOOT WIDE PLATTED UTILITY EASEMENT CENTERED ON LOTS 8 AND 9, BLOCK 6, "HARBOR BEACH UNIT TWO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21 AT PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF EAST LAKE DRIVE, SOUTH OF SYLVAN LAKE, WEST OF SEABREEZE BOULEVARD AND EAST OF WEST LAKE DRIVE, ALL SAID LANDS SITUATE, LYING AND BEING 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"), 1627 E Lake Drive, LLC, is applying for the vacation of a platted utility easement (Case No. UDP-EV21007) more fully described in SECTION 2 below, located north of East Lake Drive, south of Sylvan Lake, west of Seabreeze Boulevard and east of West Lake Drive, 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 Development Services Department 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 July 5, 2022.

SECTION 2. That the below described easement is 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 10 FOOT WIDE PLATTED UTILITY EASEMENT CENTERED ON LOTS 8 AND 9, BLOCK 6, "HARBOR BEACH UNIT TWO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21 AT PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of East Lake Drive, south of Sylvan Lake, west of Seabreeze Boulevard and east of West Lake Drive.

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

1. Any utilities unknown found to be within the easement shall be relocated pursuant to a relocation plan at the expense of the applicant, and an easement in a different location shall be provided by the owner to the satisfaction of the city. The relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
2. The vacating resolution shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

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 5th day of July, 2022.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis Yea

Heather Moraitis Yea

Steven Glassman Yea

APPROVED AS TO FORM:

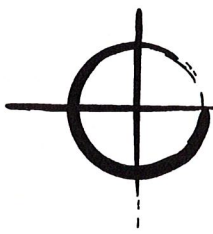
Robert L. McKinzie Yea



City Attorney
ALAIN E. BOILEAU

Ben Sorensen Yea

M.P. O.K



PINNELL SURVEY, INC.

LICENSED BUSINESS #6857

5300 WEST HILLSBORO BOULEVARD, SUITE 215-A

COCONUT CREEK, FLORIDA 33073

PHONE (954)418-4940 FAX(954)418-4941

SKETCH AND LEGAL DESCRIPTION

10 FOOT UTILITY EASEMENT ABANDONMENT

LEGAL DESCRIPTION:

ALL OF THE 10 FOOT UTILITY EASEMENT CENTERED ON THE COMMON LOT LINE OF LOTS 8 AND 9, BLOCK 6 OF "HARBOR BEACH UNIT TWO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

NOTES:

1. THIS IS NOT A SURVEY.
2. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC.
3. THIS DRAWING IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

- ☉ - CENTERLINE
- P.B. - PLAT BOOK
- PG. - PAGE
- B.C.R. - BROWARD COUNTY RECORDS

JASON H. PINNELL
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA - LICENSE NO. 5734

SKETCH NO.: 16-1298SD
SHEET 1 OF 2

u.d.o.k.

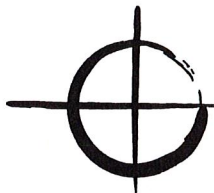
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SYLVAN LAKE



COMMON LOT
LINE OF
LOTS 8 AND 9,
BLOCK 6

**LOT 9
BLOCK 6**

**LOT 8
BLOCK 6**

25' BUILDING SETBACK LINE
(P.B. 21, PG 18 B.C.R.)

30' BUILDING SETBACK LINE
(P.B. 21, PG 18 B.C.R.)

140.00' (RADIAL)

5.00'

10' UTILITY EASEMENT
(P.B. 21, PG. 18 B.C.R.)
TO BE ABANDONED

5.00'

CURVE DATA:

C1:
RADIUS=418.44'
DELTA=43°12'17"(C)
ARC=315.53'(C)

EAST LAKE DRIVE

(50' RIGHT-OF-WAY)

25.00'



SCALE: 1" = 20'

SKETCH NO.: 16-1298SD

DRAWN BY: J.P.

SHEET 2 OF 2