

RESOLUTION NO. 15-

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.

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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 \_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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Senior Assistant City Clerk  
JEFFREY A. MODARELLI



**McLAUGHLIN ENGINEERING COMPANY**

**LB#285**

ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
400 N.E. 3RD AVENUE FORT LAUDERDALE, FLORIDA 33301  
PHONE (954) 763-7611 \* FAX (954) 763-7615

M.D.  
O.K.

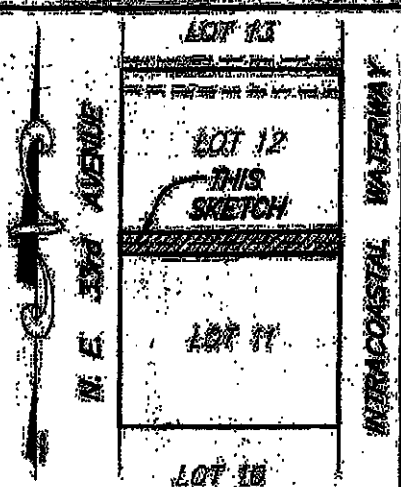
SCALE 1" = 30'

**SKETCH AND DESCRIPTION  
TO ACCOMPANY VACATION PETITION  
12' PLATTED DRAINAGE EASEMENT  
LOTS 11 & 12, BLOCK 12,  
THE LANDING FIRST SECTION  
(PLAT BOOK 56, PAGE 4, B.C.R.)**

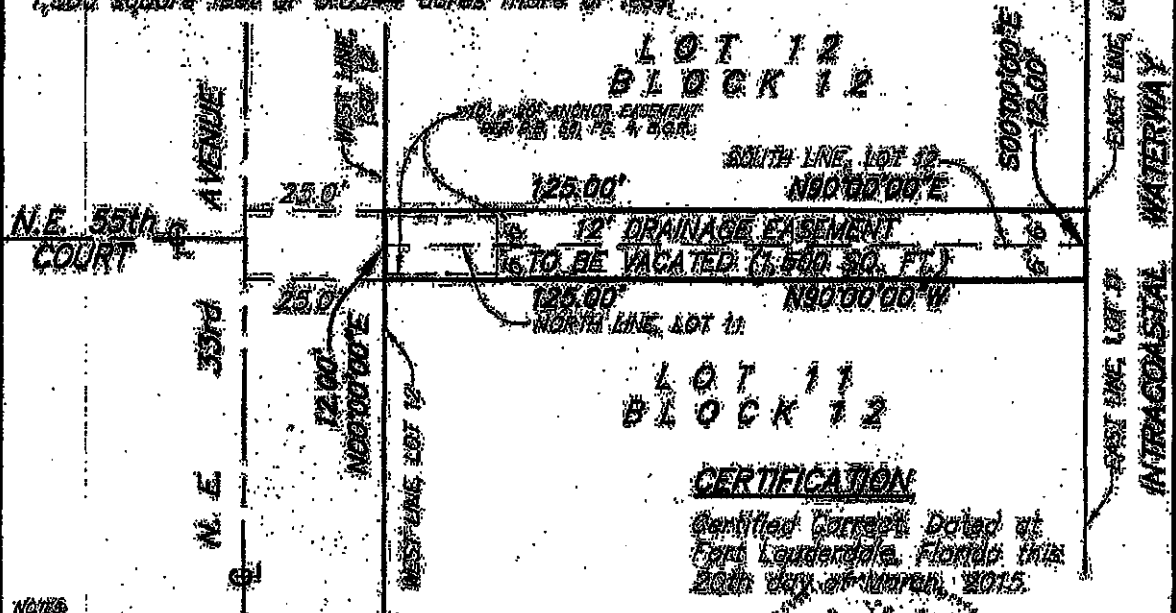
**LEGAL DESCRIPTION:**

The North 0.00 feet of Lot 11 and the South 0.00 feet of Lot 12, Block 12, THE LANDING, FIRST SECTION, according to the plat thereof, as recorded in Plat Book 56, Page 4, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 1,500 square feet or 0.0344 acres more or less.



**SITE LAYOUT  
NOT TO SCALE**



**CERTIFICATION**

Certified Correct. Dated at Fort Lauderdale, Florida this 20th day of January, 2015.

McLAUGHLIN ENGINEERING COMPANY  
JERALD M. McLAUGHLIN  
Registered Land Surveyor No. 3265  
State of Florida

**NOTES**

- 1) This sketch reflects an easement and is not intended to show any other easements or restrictions. The subject property is not intended for other easements, restrictions or other way of record.
- 2) This sketch was prepared by McLaughlin Engineering Company.
- 3) The drawing is not a boundary survey.
- 4) This is not a boundary survey.
- 5) Dimensions shown assume the true north line of Lot 12 is North 0.00 feet.

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMM

JOB ORDER NO. V-0100  
REV. DATE: 11-2

CHECKED BY: \_\_\_\_\_  
01 JAN 11 2015 11:10 (BASE)