

ORDINANCE NO. C-14-09

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL THAT PORTION OF THE RIGHT-OF-WAY DEDICATED AS SOUTHWEST SECOND COURT RIGHT-OF-WAY AS SHOWN ON "WOODLAND PARK (UNIT ONE)" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF SOUTHWEST 27TH AVENUE AND WEST OF SOUTHWEST 26TH AVENUE, IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, Riverbend South LLC, GDC Broward RB LLC, Donald T. Swinarski, Jr., Brian Pattulo, City of Fort Lauderdale, George and Arlene Berger, Les Wills Riverland Bait Tackle & Gun Shop, Inc. /Riverbend Marketplace, applied for the vacation of certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of December 18, 2013 (PZ Case No. 26-P-13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described right-of-way subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, February 4, 2014, and Tuesday, February 18, 2014, at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the Unified Land Development Regulations;

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

SECTION 1. That the below-described right-of-way is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

See Exhibit "A" attached hereto
and made a part hereof

Location: East of S.W. 27th Avenue and west of S.W. 26th Avenue

SECTION 2. That the City shall retain a temporary utility easement over the above-described right-of-way until such time as a Certificate is executed by the City Engineer and recorded in the Public Records of Broward County evidencing that all conditions for the termination of the temporary easement listed on Exhibit "B" have been met.


SECTION 3. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.


SECTION 6. That this Ordinance shall be in full force and effect upon adoption.

PASSED FIRST READING this the 4th day of February, 2014.
PASSED SECOND READING this the 18th day of February, 2014.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

L:\COMM 2014\Ordinances\February 18\C-14-09.doc

M.D.
D.K.

**LEGAL DESCRIPTION TO ACCOMPANY SKETCH
PORTION OF THE NORTHEAST 1/4 OF
SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

LEGAL DESCRIPTION:

ALL THAT PORTION OF SOUTHWEST 2ND STREET (BEING A 60' PLATTED RIGHT-OF-WAY) AS SHOWN ON WOODLAND PARK (UNIT ONE), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING 37.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY.

CONTAINING 33,804 SQUARE FEET OR 0.82186 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 64-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK B. MEEDS, P.S.M.
FLORIDA LICENSE No. LB - 4728
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 8766

Patrick B. Meeds
PATRICK B. MEEDS

11/19/13

DATE OF SIGNATURE

PROFESSIONAL SURVEYOR AND MAPPER

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/1983 ADJUSTMENT), BASED UPON THE CENTERLINE OF S.W. 2ND STREET BEING NORTH 87°47'47" EAST.

2. ALL DISTANCES SHOWN HEREON ARE CALCULATED, UNLESS OTHERWISE NOTED.

NOTE: SEE SHEET 1 OF 2 FOR SKETCH OF DESCRIPTION.

DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

THIS IS NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CREECH
ENGINEERS, INC.

CIVIL ENGINEERING
2681 S.W. CLIPPER WAY SUITE 100 FORT LAUDERDALE, FLORIDA 33407 (772) 283-1413
OFFICES ALSO IN MELBOURNE, FORT ST. LINDA AND TALLAHASSEE FL.
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 0131
PROFESSIONAL ENGINEER AND LAND SURVEYOR LICENSE NO. 12-12000

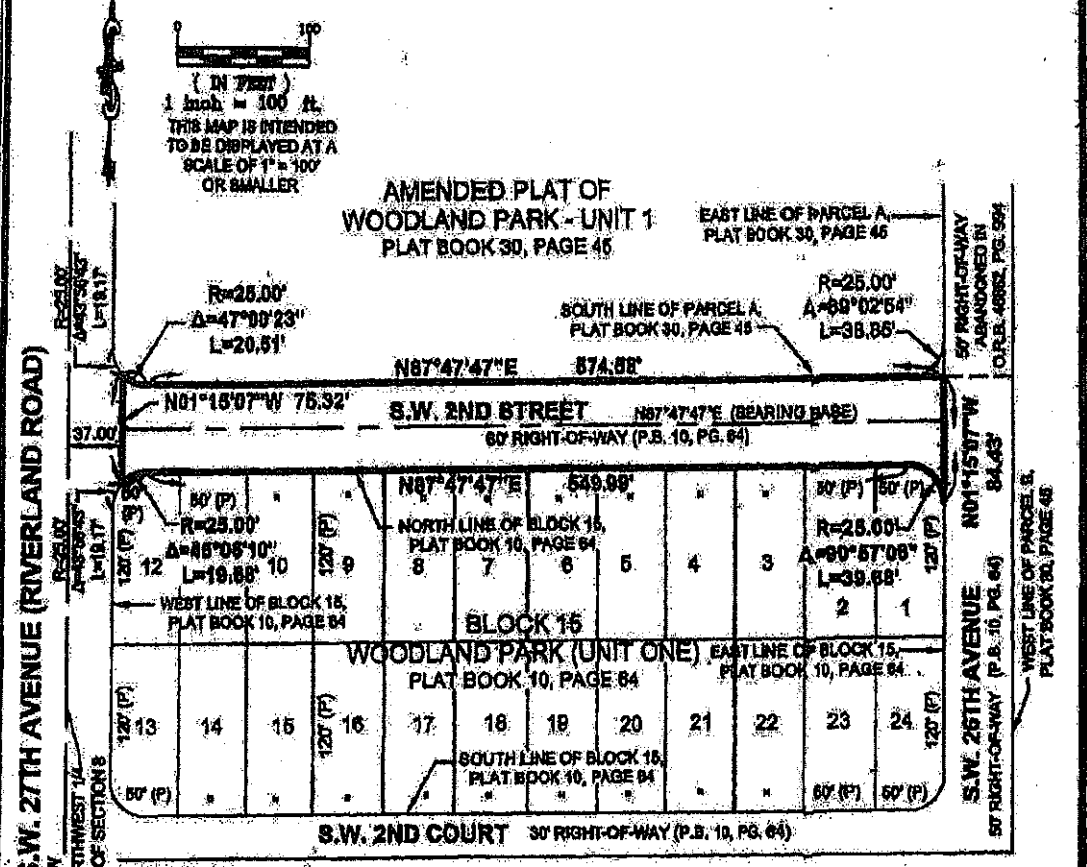
**S.W. 2ND STREET
RIGHT-OF-WAY VACATION**

BROWARD COUNTY FLORIDA
PROJECT NO. 130113-00
DATE OF THIS DEED & DEED BY ABAND. - 11/19/13

Exhibit "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

will
OK



UNPLATTED

LEGEND

(P)	PLAT	PG.	PAGE
INC.	INCORPORATED	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
LB	LICENSED BUSINESS	R	RADIUS
LS	LICENSED SURVEYOR	A	CENTRAL ANGLE
O.R.B.	OFFICIAL RECORDS BOOK	L	ARC LENGTH
P.B.	PLAT BOOK	FT.	FEET
NAD	NORTH AMERICAN DATUM		

NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

THIS IS NOT A SURVEY

CREECH ENGINEERS, INC.

2801 S.W. 81ST AVE., SUITE 100, MIAMI, FLORIDA 33155
 773-1413
 OFFICES ALSO IN MELBOURNE, FORT ST. LUKE AND TALLAHASSEE, FL.

**S.W. 2ND STREET
RIGHT-OF-WAY VACATION**

BROWARD COUNTY, FLORIDA
 PROJECT NO. 12018.00
 SHEET NO. 501-A, 502-A, 503-A, 504-A, 505-A, 506-A, 507-A, 508-A, 509-A, 510-A, 511-A, 512-A, 513-A, 514-A, 515-A, 516-A, 517-A, 518-A, 519-A, 520-A

EXHIBIT "B"

**CONDITIONS OF APPROVAL
CASE NO. 26-P-13**

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, and as approved by the City Engineer.
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, and as approved by the City Engineer.