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RESOLUTION NO. 12-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THAT CERTAIN STORM DRAINAGE AND UTILITY EASEMENT AS RETAINED IN OFFICIAL RECORDS BOOK 15650, PAGE 229 BROWARD COUNTY RECORDS, CITY OF FORT LAUDERDALE ORDINANCE NUMBER C-88-30, NOW LYING IN PARCEL "A", "PERFORMING ARTS CENTER", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 140, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF SOUTHWEST 2ND STREET, EAST OF SOUTHWEST 7TH AVENUE, WEST OF SOUTHWEST 5TH AVENUE AND NORTH OF WEST LAS OLAS BOULEVARD, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, under the provisions of Section 47-24.7 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, the Performing Arts Center Authority is applying for the vacation of a storm drainage and utility easement (PZ Case No. 5-M-12) more fully described in Section 1, below associated with the development known as Broward Center for the Performing Arts; and

WHEREAS, pursuant to the provisions of the aforementioned Section 47-24.7 of the ULDR, all interested utilities 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 storm drainage and utility easement is hereby vacated and shall no longer constitute an easement for storm drainage and utilities:

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

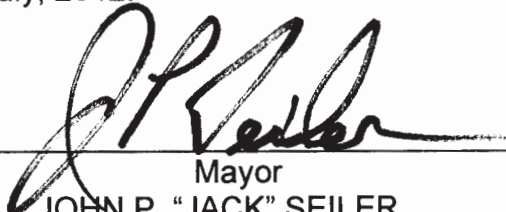
subject to the execution of a revocable license for maintenance, use, repair and replacement of drainage control structures.

Location: South of S.W. 2nd Street, East of S.W. 7th Avenue,
west of S.W. 5th Avenue and north of West Las
Olas Boulevard.

SECTION 2. 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 3. That this Resolution shall not take effect until a certificate executed by the City Engineer is recorded in the Public Records of Broward County evidencing that any existing utilities are relocated and alternate easements are conveyed if necessary as determined by the City Engineer and all other conditions for the vacation have been met.

ADOPTED this the 10th day of July, 2012.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

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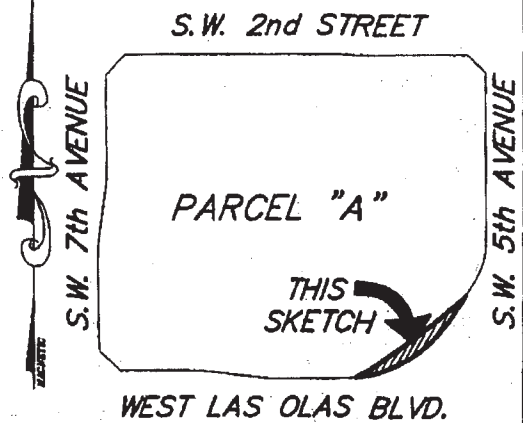
McLAUGHLIN ENGINEERING COMPANY
LB#285

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

5M12

M. D. [Signature] O.K.

SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
STORM DRAINAGE & UTILITY EASEMENT,
PER O.R. 15650, PG. 229, B.C.R., WITHIN
PARCEL "A", "PERFORMING ARTS CENTER"
(PLAT BOOK 140, PAGE 43, B.C.R.)
SHEET 1 OF 2 SHEETS



LEGAL DESCRIPTION:

All of that certain Storm Drainage and Utility Easement as retained in Official Records Book 15650, Page 229, Broward County Records (City of Fort Lauderdale Ordinance No. C-88-30) now lying in Parcel "A", PERFORMING ARTS CENTER, according to the plat thereof, as recorded in Plat Book 140, Page 43, of the public records of Broward County, Florida, being more fully described as follows:

Commencing at the most South, Northeast corner of said Parcel "A"; thence South 00°07'12" East, on the East line of said Parcel "A", a distance of 247.01 feet to a point of curve; thence Southwesterly on said curve to the right, being the Southeasterly line of said Parcel "A", with a radius of 124.78 feet, a central angle of 35°42'33", an arc distance of 77.77 feet to a point of tangency; thence South 35°35'21" West, on said Southeasterly line, a distance of 8.48 feet to the Point of Beginning; thence continuing South 35°35'21" West, on said Southeasterly line, a distance of 53.48 feet to a point of curve; thence Southwesterly on said curve to the right and on said Southeasterly line, with a radius of 190.98 feet, a central angle of 45°55'51", an arc distance of 153.10 feet to a point on a curve; thence Northeasterly on said curve to the left, whose radius point bears North 28°14'38" West, with a radius of 59.55 feet, a central angle of 07°52'39", an arc distance of 8.19 feet to a point of tangency; thence North 53°52'43" East, a distance of 108.01 feet; thence North 50°37'43" East, a distance of 73.03 feet to a point of curve; thence Northeasterly on said curve to the left, with a radius of 111.81 feet, a central angle of 05°16'12", an arc distance of 10.28 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 2,697 square feet or 0.0619 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 30th day of April, 2012.

McLAUGHLIN ENGINEERING COMPANY

[Signature]
JAMES M. McLAUGHLIN JR.
Registered Land Surveyor No. 4497
State of Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown refer to record plat (140/43) and assume the North line of Parcel "A", as South 89°59'02" East

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. U-7075 (ORUE)

CHECKED BY: _____

REF. DWG.: 08-3-61

Exhibit "A"
Page 1 of 2



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

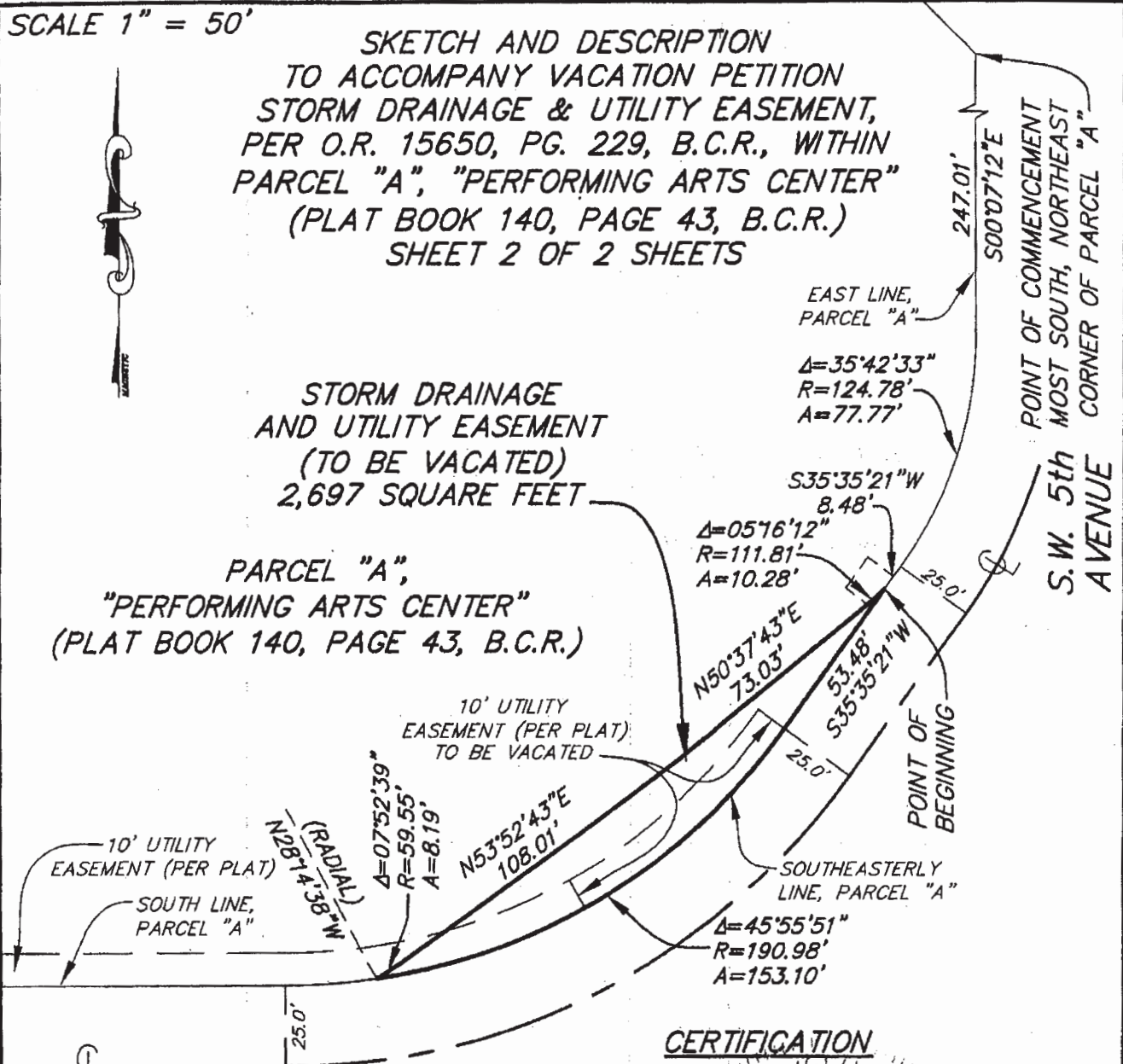
SCALE 1" = 50'

**SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
STORM DRAINAGE & UTILITY EASEMENT,
PER O.R. 15650, PG. 229, B.C.R., WITHIN
PARCEL "A", "PERFORMING ARTS CENTER"
(PLAT BOOK 140, PAGE 43, B.C.R.)
SHEET 2 OF 2 SHEETS**



**STORM DRAINAGE
AND UTILITY EASEMENT
(TO BE VACATED)
2,697 SQUARE FEET**

**PARCEL "A",
"PERFORMING ARTS CENTER"
(PLAT BOOK 140, PAGE 43, B.C.R.)**



WEST LAS OLAS BOULEVARD

- NOTES:**
- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
 - 2) Legal description prepared by McLaughlin Engineering Co.
 - 3) This drawing is not valid unless sealed with an embossed surveyors seal.
 - 4) THIS IS NOT A BOUNDARY SURVEY.
 - 5) Bearings shown refer to record plot (140/43) and assume the East line line of Parcel "A", as South 00°07'12" East.

CERTIFICATION
Certified Correct. Dated at
Fort Lauderdale, Florida this
30th day of April, 2012.

McLAUGHLIN ENGINEERING COMPANY

J. M. McLaughlin, Jr.
JAMES M. McLAUGHLIN JR
Registered Land Surveyor No. 4497
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. U-7075 (ORUE)
REF. DWG.: 08-3-61

CHECKED BY: _____
Exhibit "A"
Page 2 of 2