

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 5.00 FOOT PUBLIC SIDEWALK EASEMENT BEING THE NORTH 5.00 FEET OF THE SOUTH 33.00 FEET OF LOTS 9 AND 16, BLOCK 2, "LAUDERDALE" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID EASEMENT BEING A PORTION DESCRIBED AS A PERPETUAL EASEMENT IN DEED BOOK 565, PAGE 273 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF SOUTHEAST 11TH STREET, SOUTH OF TARPON RIVER, WEST OF SOUTHEAST 4TH AVENUE AND EAST OF SOUTHEAST 3RD AVENUE, 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"), the City of Fort Lauderdale, Florida, is applying for the vacation of a 5-foot public sidewalk easement (Case No. UDP-EV21008) more fully described in SECTION 2 below, located north of Southeast 11th Street, south of Tarpon River, west of Southeast 4th Avenue and east of Southeast 3rd Avenue, 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 August 16, 2022.

SECTION 2. That the below-described easement is hereby vacated and shall no longer constitute easements for utilities, and utility and roadway:

A 5.00 FOOT PUBLIC SIDEWALK EASEMENT BEING THE NORTH 5.00 FEET OF THE SOUTH 33.00 FEET OF LOTS 9 AND 16, BLOCK 2, "LAUDERDALE" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID EASEMENT BEING A PORTION DESCRIBED AS A PERPETUAL EASEMENT IN DEED BOOK 565, PAGE 273 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of Southeast 11th Street, south of Tarpon River, west of Southeast 4th Avenue and east of Southeast 3rd Avenue

SECTION 3. 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 4. 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 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis _____

Heather Moraitis _____

Steven Glassman _____

Robert L. McKinzie _____

APPROVED AS TO FORM:

Ben Sorensen _____

City Attorney
ALAIN E. BOILEAU

