

RESOLUTION NO. 14-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THAT CERTAIN 60 FOOT WIDE STORM DRAINAGE EASEMENT LYING IN A PORTION OF PARCEL "A", "NORTHWEST REDEVELOPMENT PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 148, PAGE 26, AND RESERVED TO THE CITY OF FORT LAUDERDALE BY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 22347, PAGE 615, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF NORTHWEST 5TH COURT, EAST OF NORTHWEST 6TH AVENUE, WEST OF NORTHWEST 4TH AVENUE AND NORTH OF NORTHWEST 5TH STREET, 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, Regal Trace, Ltd. is applying for the vacation of a storm drainage easement (PZ Case No. E14003) more fully described in Section 1, below associated with the development known as Regal Trace; 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;

Note: Replaces Resolution No. 14-107 recorded in error in Official Records Book 50937, Page 398 of the Public Records of Broward County, Florida

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 storm drainage:

See Exhibit attached hereto
and made a part hereof

Location: South of NW 5th Court, east of N.W. 6th Avenue, west
of N.W. 4th Avenue and north of NW 5th Street

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. 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.

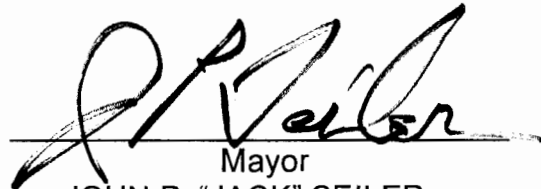
SECTION 4. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 5. The following are additional conditions of approval imposed by the City Commission:

- (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.

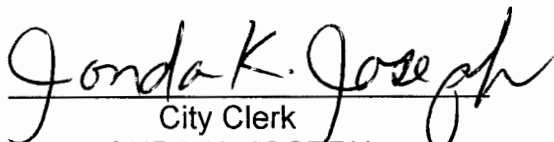
- (2) Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

ADOPTED this the 1st day of July, 2014.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

L:\COMM 2014\Resolutions\July 1\14-107.docx

MO OK

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
3. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO THE CENTERLINE OF SAID N.W. 5TH AVENUE, BEARING S00°01'15" W.
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

DESCRIPTION:

A PORTION OF PARCEL "A", "NORTHWEST REDEVELOPMENT PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 148, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 40.00 FEET OF A 60.00 FOOT WIDE STORM DRAINAGE EASEMENT, AS RECORDED IN OFFICIAL RECORD BOOK 22347, PAGE 615, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 60.00 FOOT WIDE STRIP OF LAND LYING 30.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE, SAID STRIP OF LAND BOUND ON THE NORTH BY THE PLAT BOUNDARY AND ON THE SOUTH BY THE NORTH LINE OF THE 50.00 FOOT WIDE STORM AND UTILITY EASEMENT LYING IN PARCEL "A";


BEGINNING AT THE INTERSECTION OF THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF NORTHWEST 5TH AVENUE, HAVING A BEARING OF SOUTH 00°01'15" WEST, WITH THE PLAT BOUNDARY; THENCE, CONTINUING SOUTH 00°01'15" WEST, A DISTANCE OF 325.00 FEET TO THE NORTH LINE OF SAID STORM AND UTILITY EASEMENT AND THE TERMINUS OF SAID CENTERLINE;

SAID LANDS SITUATE IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

CERTIFICATE:

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON APRIL 22, 2014. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.



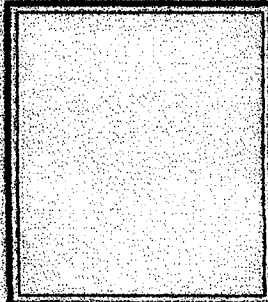
 JEFFREY R. WAGNER, P.L.S.
 REGISTERED LAND SURVEYOR #5302
 STATE OF FLORIDA - L.B. 3591

Exhibit

SHEET 1 OF 2

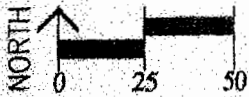
CAULFIELD & WHEELER, INC.

 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

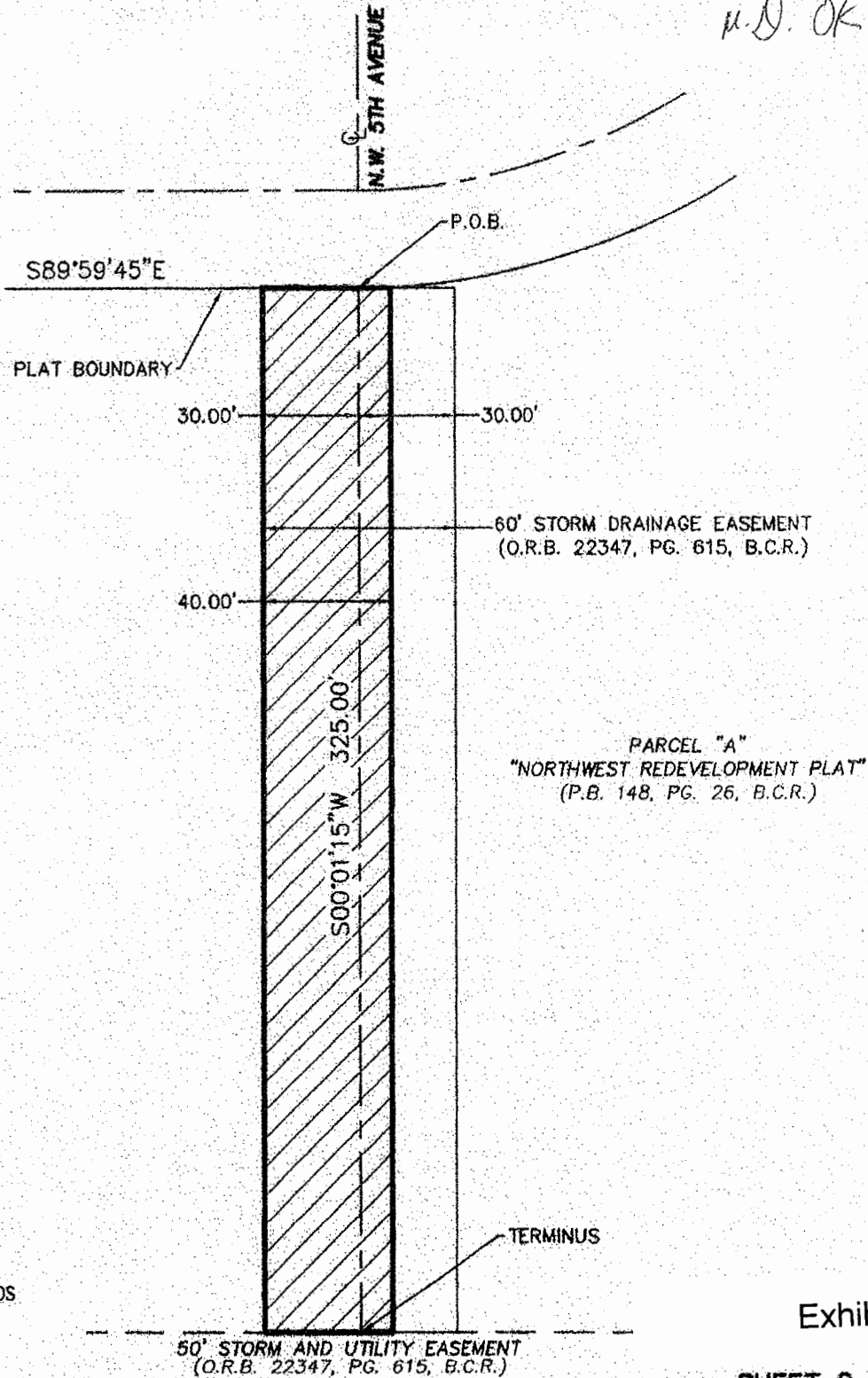


DATE	4-22-14
DRAWN BY	RW
F.B./ PG.	N/A
SCALE	1"=50'
JOB NO.	2427

REGAL TRADE
VACATE PORTION OF STORM DRAINAGE EASEMENT
SKETCH OF DESCRIPTION



M.D. OK



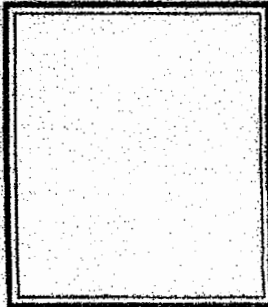
LEGEND

- C - CENTERLINE
- B.C.R. - BROWARD COUNTY RECORDS
- O.R.B. - OFFICIAL RECORD BOOK
- P.B. - PLAT BOOK
- PG. - PAGE
- P.O.B. - POINT OF BEGINNING

Exhibit

SHEET 2 OF 2

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
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REGAL TRACE
VACATE PORTION OF STORM DRAINAGE EASEMENT
SKETCH OF DESCRIPTION