

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN 10-FOOT RETAINED UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 13309, PAGE 543 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING BETWEEN LOTS 5 THROUGH 14 AND LOTS 15 THROUGH 24, BLOCK 125, "WAVERLY PLACE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF SOUTHWEST 12TH AVENUE, NORTH OF MIDDLE STREET (SOUTHWEST 2ND COURT), EAST OF SOUTHWEST 14TH AVENUE AND SOUTH OF WEST BROWARD BOULEVARD, 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 is applying for the vacation of a 10-foot retained utility easement (Case No. UDP-EV22005) more fully described in SECTION 2 below, located west of Southwest 12th Avenue, north of Middle Street (Southwest 2nd Court), east of Southwest 14th Avenue and south of West Broward Boulevard, 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 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, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 2. That the below described easement is hereby vacated and shall no longer constitute easements for utilities, subject to the conditions provided in SECTION 3 of this resolution:

A RETAINED UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 13309, PAGE 543 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING BETWEEN LOTS 5 THROUGH 14 AND LOTS 15 THROUGH 24, BLOCK 125, "WAVERLY PLACE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Southwest 12th Avenue, north of Middle Street (Southwest 2nd Court), east of Southwest 14th Avenue and south of West Broward Boulevard

SECTION 3. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

1. Any utilities unknown found to be within the easement shall be relocated pursuant to a relocation plan at the expense of the applicant, and an easement in a different location shall be provided by the owner to the satisfaction of the city. The relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
2. The vacating resolution shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

SECTION 4. 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 5. 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 6. 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 ____

APPROVED AS TO FORM:

Robert L. McKinzie ____

Ben Sorensen ____

City Attorney
ALAIN E. BOILEAU

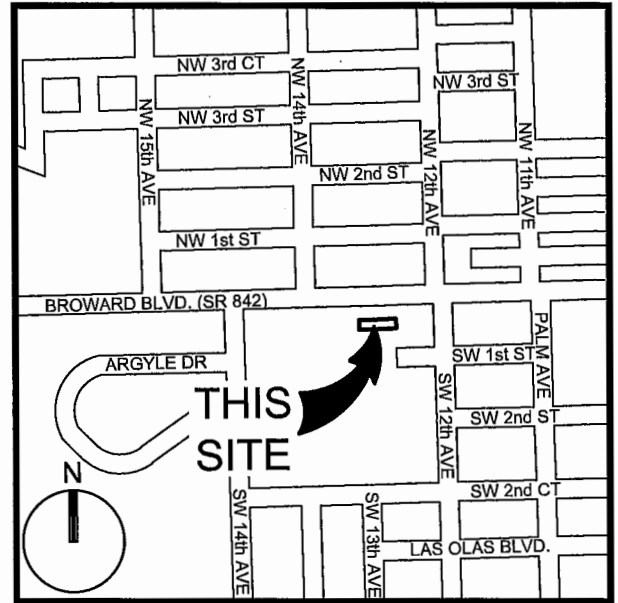
M.D.O.K.

LEGAL DESCRIPTION: (UTILITY EASEMENT VACATION)

THAT CERTAIN UTILITY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 13309, PAGE 543, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA LYING OVER A PORTION OF THAT CERTAIN 10' RIGHT OF WAY FOR AN ALLEY LYING BETWEEN LOTS 5 THROUGH 24, INCLUSIVE, BLOCK 125, SUBDIVISION OF WAVERLY PLACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 24, BLOCK 125; THENCE SOUTH 02°02'58" EAST, 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, BLOCK 125; THENCE SOUTH 88°00'53" WEST ALONG THE NORTH LINE OF SAID LOTS 5 THRU 14, BLOCK 125, 249.71 FEET TO THE NORTHWEST CORNER OF SAID LOT 14, BLOCK 125; THENCE NORTH 01°57'46" WEST, 10.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, BLOCK 125; THENCE NORTH 88°00'53" EAST, ALONG THE SOUTH LINE OF SAID LOTS 15 THRU 24, BLOCK 125, 249.70 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATED AND LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 2,497 SQUARE FEET OR 0.057 ACRES MORE OR LESS.



LOCATION MAP:
NOT TO SCALE

SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ENCRYPTED DIGITAL SIGNATURE OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 88°01'11" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF WEST BROWARD BOULEVARD (STATE ROAD 842).
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
8. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"= 100' OR SMALLER.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON APRIL 29, 2022 MEETS THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

DONALD A. SPICER, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4677

SKETCH & DESCRIPTION

THAT CERTAIN UTILITY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 13309, PAGE 543, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA LYING OVER A PORTION OF THAT CERTAIN 10' RIGHT OF WAY FOR AN ALLEY LYING BETWEEN LOTS 5 THROUGH 24, BLOCK 125, OF SUBDIVISION OF WAVERLY PLACE
P.B. 2, PG. 19, D.C.R.

CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA



301 EAST ATLANTIC BOULEVARD
POMPAHO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 11112.00-SKETCH & DESCRIPTION-04.DWG

DATE 04/29/22

SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY DB

CHK. BY DS

DATE REVISIONS

07/25/22 LEGAL REV.

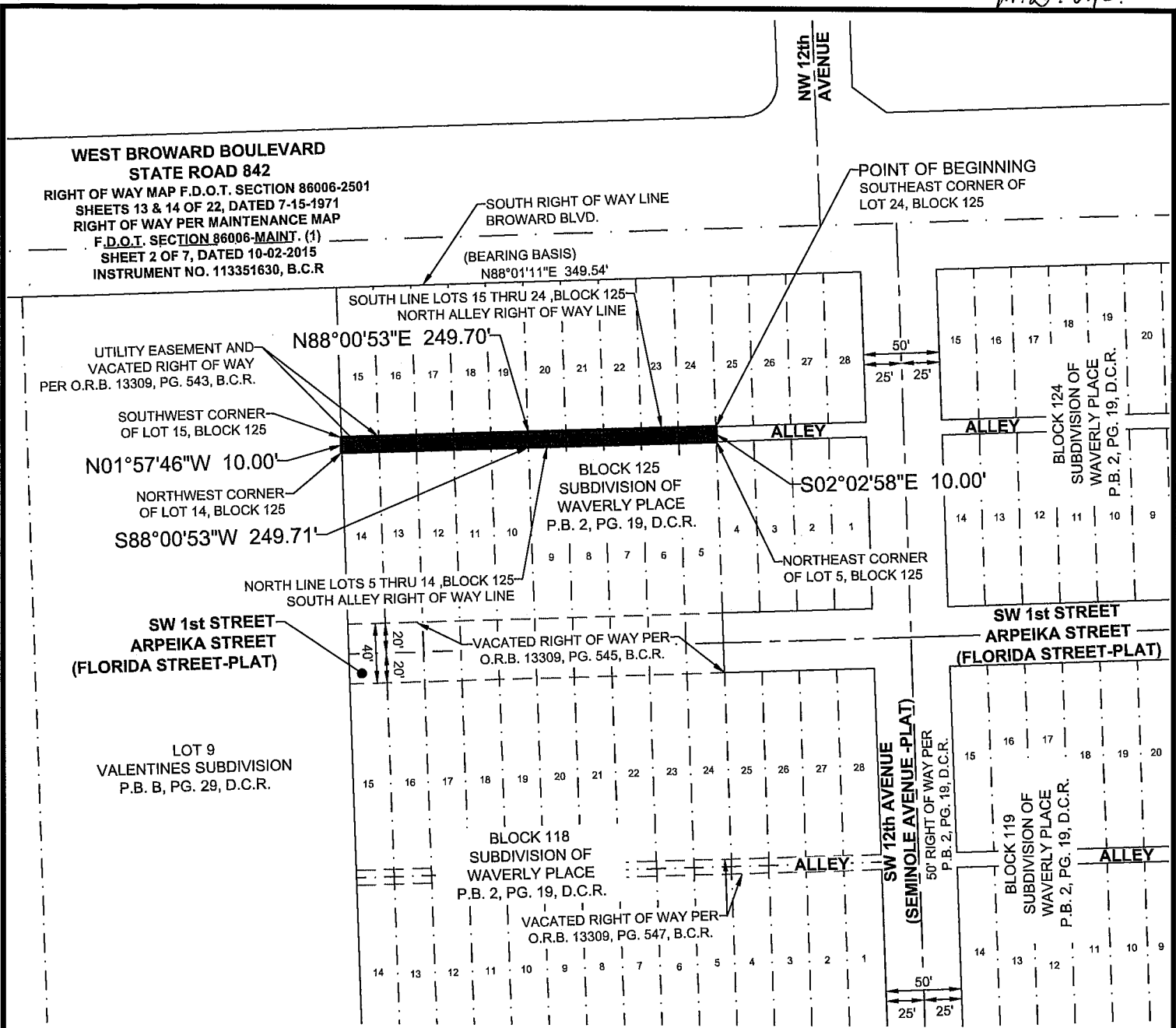
07/28/22 LEGAL REV.

CAM # 22-0774

Exhibit 5

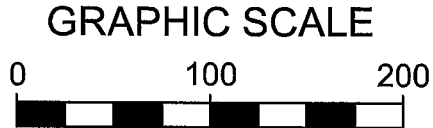
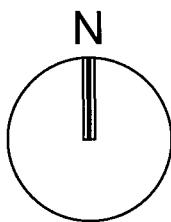
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M.D.O.K.



LEGEND:

- B.C.R. BROWARD COUNTY RECORDS
- D.C.R. DADE COUNTY RECORDS
- F.D.O.T. FLORIDA DEPARTMENT OF TRANSPORTATION
- P.B. PLAT BOOK
- PG. PAGE
- PGS. PAGES
- O.R.B. OFFICIAL RECORDS BOOK



SCALE: 1" = 100

NOTE: PRINTED DRAWING SIZE MAY HAVE CHANGED FROM ORIGINAL. VERIFY SCALE USING BAR SCALE ABOVE.

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CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA

KEITH

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POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 2 OF 2

DRAWING NO. 11112.00-SKETCH & DESCRIPTION-04.DWG

DATE	04/29/22	DATE	07/25/22	REVISIONS	LEGAL REV.
SCALE	AS SHOWN	DATE	07/28/22	REVISIONS	LEGAL REV.
FIELD BK.	N/A				
DWNG. BY	DB				
CHK. BY	DS				
		CAM # 22-0774			