

RESOLUTION NO. 25-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF A 15.00 FOOT UTILITY EASEMENT RETAINED AND RECORDED IN OFFICIAL RECORDS BOOK 10827, PAGE 842 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF NORTHEAST 10TH AVENUE, NORTH OF EAST SUNRISE BOULEVARD, EAST OF NORTHEAST 9TH AVENUE AND SOUTH OF NORTHEAST 11TH STREET, ALL SAID LANDS 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"), 901 East Sunrise, LLC is applying for the vacation of a portion of a 15.00 foot utility easement retained and recorded in Official Records Book 10827, Page 842 of the Public Records of Broward County, Florida (PZB Case No. UDP-EV24003) more fully described in SECTION 2 below, located west of Northeast 10th Avenue, north of East Sunrise Boulevard, east of Northeast 9th Avenue and south of Northeast 11th Street, 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 January 7, 2025, a portion of those findings expressly listed as follows:

1. The easement is no longer needed for public purposes. Existing utility services within the easement were used for an existing building, which is being demolished. The developer is coordinating any necessary new easements for the proposed new development.

2. The existing easement was used to service the property which was existing on the site. The site is currently being redeveloped and the existing building is being demolished. If required, new easements will be coordinated for the new development. The applicant has obtained letters of no objection from utility providers who have rights or authority to place utilities in the easement.

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 PORTION OF A 15.00 FOOT UTILITY EASEMENT
RETAINED AND RECORDED IN OFFICIAL RECORDS BOOK
10827, PAGE 842 OF THE PUBLIC RECORDS OF
BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Northeast 10th Avenue, north of East Sunrise
Boulevard, east of Northeast 9th Avenue and south of
Northeast 11th Street

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

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.
3. Prior to Building Permit issuance, 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. That the approval of the vacation of the easement shall expire in 24 months from the date of final passage of this resolution if the certificate required in Section 3, paragraph 3 of this resolution has not been recorded in the public records of Broward County, Florida.

SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this 7th day of January, 2025.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN


Dean J. Trantalis Yea

John C. Herbst Yea

APPROVED AS TO FORM
AND CORRECTNESS:

Steven Glassman Yea

Pamela Beasley-Pittman Yea



Interim City Attorney
D'WAYNE M. SPENCE

Ben Sorensen Yea

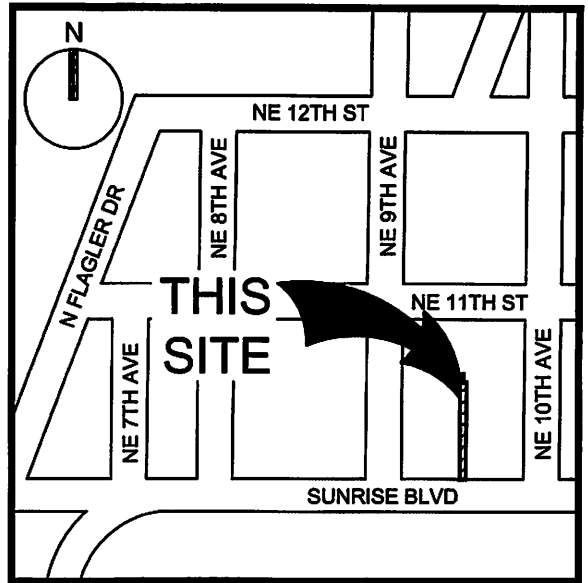
M.D.O.K.

LEGAL DESCRIPTION:

A PORTION OF THAT CERTAIN 15 FOOT ALLEY NOW VACATED AND RETAINED AS A UTILITY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 10827, PAGE 842 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 36, BLOCK 177, PROGRESSO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE NORTH 87°54'23" EAST, ALONG THE NORTH LINE OF SAID LOT 36, 127.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87°54'23" EAST ALONG SAID NORTH LINE, 7.50 FEET; THENCE SOUTH 02°05'37" EAST, 25.00 FEET; THENCE NORTH 87°54'23" EAST, 7.50 FEET TO A POINT ON THE EAST LINE OF SAID UTILITY EASEMENT; THENCE SOUTH 02°05'37" EAST ALONG SAID EAST LINE, 260.00 FEET TO A POINT ON LINE LYING 15.00 NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 177; THENCE SOUTH 87°54'23" WEST, ALONG SAID PARALLEL LINE 15.00 FEET TO A POINT ON THE WEST LINE OF SAID UTILITY EASEMENT; THENCE NORTH 02°05'37" WEST ALONG SAID WEST LINE, 285.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 4,088 SQUARE FEET (0.094 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 LB #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/OR 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 87°54'23" EAST ALONG THE NORTH LINE OF LOT 36, BLOCK 177, PROGRESSO, AS RECORDED IN PLAT BOOK 2, ON PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.
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"= 50' 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 OCTOBER 11, 2024 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 AND MAPPER
REGISTRATION NO. 4677
STATE OF FLORIDA
(FOR THE FIRM)



Digitally signed
by DONALD A
SPICER
Date:
2024.12.10
09:13:46-05'00'

SKETCH & DESCRIPTION

A PORTION OF THAT
ALLEY IN BLOCK 177
VACATED & RETAINED
AS UTILITY EASEMENT PER
O.R.B. 10827, PG. 842, B.C.R.

CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA



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

SHEET 1 OF 2

DRAWING NO. 13435.00 SK&D (EASEMENT VACATION).dwg

DATE 10/11/24

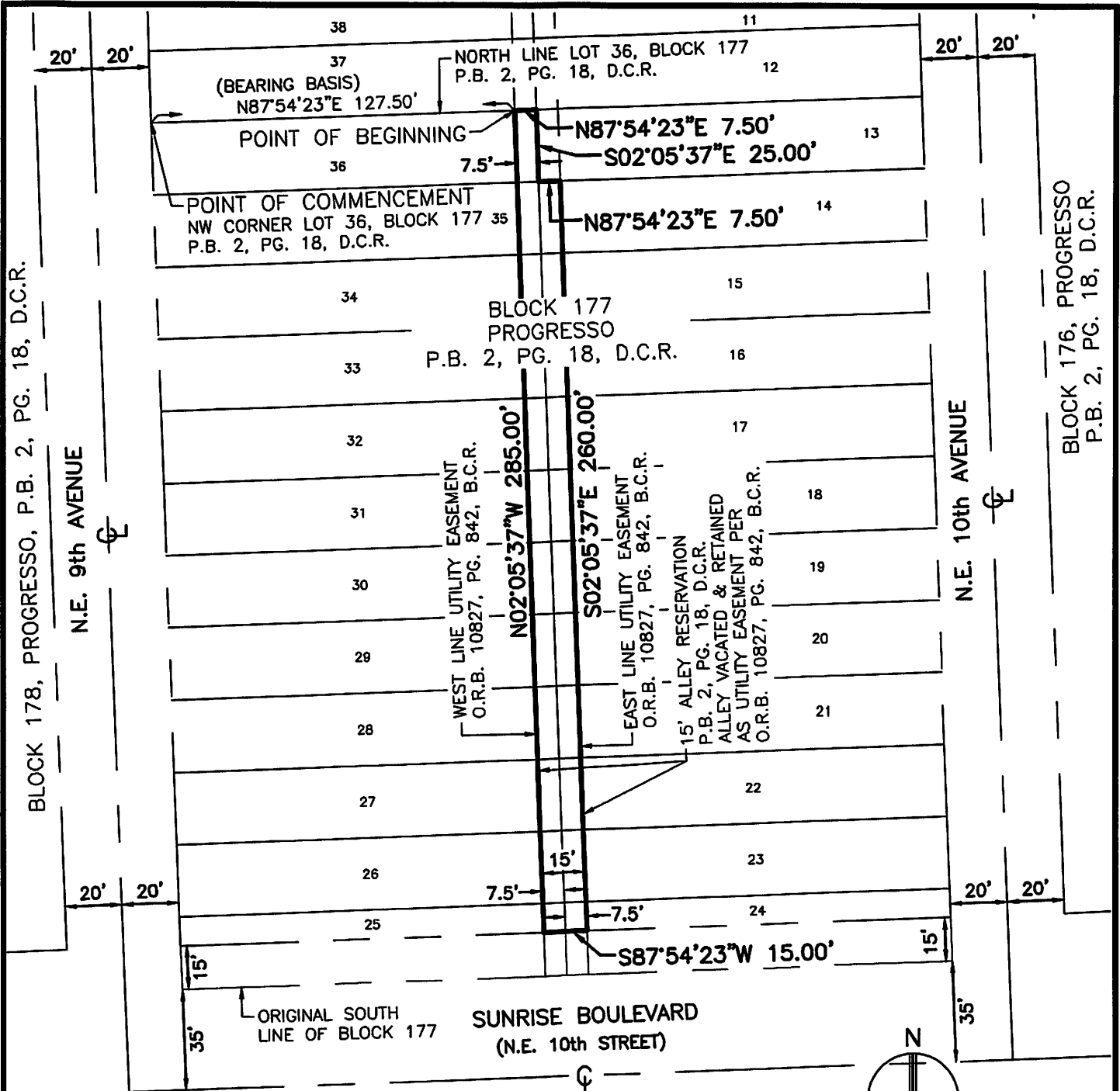
SCALE AS SHOWN

FIELD BK. N/A

DWNG. BY DDB

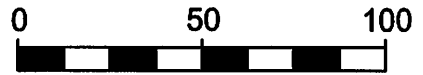
CHK. BY DAS

| DATE | REVISIONS |
|----------|--------------|
| 12/10/24 | PER COMMENTS |
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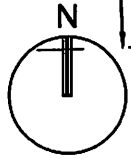


LEGEND:

| | | | |
|--------|------------------------|--------|-----------------------|
| B.C.R. | BROWARD COUNTY RECORDS | NO. | NUMBER |
| BK. | BOOK | NW | NORTHWEST |
| CHK. | CHECKED | O.R.B. | OFFICIAL RECORDS BOOK |
| D.C.R. | DADE COUNTY RECORDS | P.B. | PLAT BOOK |
| DWNG. | DRAWING | PG. | PAGE |
| LB | LICENSED BUSINESS | ☒ | CENTERLINE |
| N/A | NOT APPLICABLE | | |



SCALE: 1" = 50'



SKETCH & DESCRIPTION

A PORTION OF THAT ALLEY IN BLOCK 177 VACATED & RETAINED AS UTILITY EASEMENT PER O.R.B. 10827, PG. 842, B.C.R.

CITY OF FT. LAUDERDALE, BROWARD COUNTY, FLORIDA

KEITH

301 EAST ATLANTIC BOULEVARD
 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. 13435.00 SK&D (EASEMENT VACATION).dwg

| | |
|-----------|----------|
| DATE | 10/11/24 |
| SCALE | AS SHOWN |
| FIELD BK. | N/A |
| DWNG. BY | DDB |
| CHK. BY | DAS |

| DATE | REVISIONS |
|----------|--------------|
| 12/10/24 | PER COMMENTS |
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