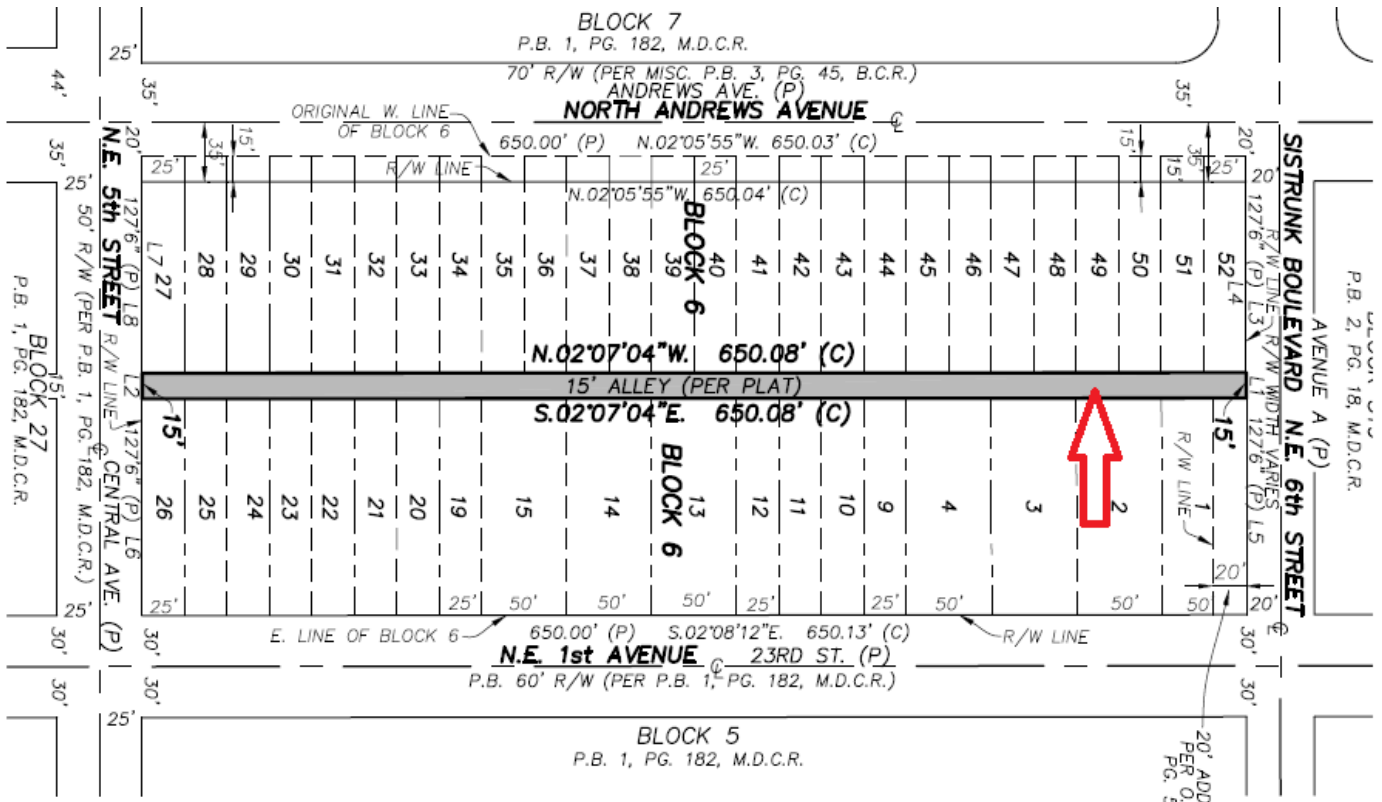


**Owner/Applicant:** BR Archco Flagler Village LLC  
**Project Name:** Metropolitan Apartments  
**Request:** Alley Vacation  
**Prepared By:** Andrew Schein, Esq.

January 24, 2017

**PROJECT NARRATIVE**  
**AND ULDR CRITERIA FOR ALLEY VACATION**

**1. General Background.** The Applicant is proposing to construct a mixed use residential and retail project on property located between NE 6<sup>th</sup> Street and NE 5<sup>th</sup> Street, east of Andrews Avenue and West of NE 1<sup>st</sup> Avenue (“Property”). The Property is bisected by a 15-foot wide alley which was intended to serve the individual parcels adjacent to the alley. Applicant has purchased all parcels that abut the alley in order to construct the mixed use development. Consequently, the 15-foot alley will no longer be necessary to serve the abutting parcels. Applicant is proposing to vacate the existing 650 foot long alley to develop the entire block. A visual of the alley is included below and a full description of the alley is included in the attached survey.



2. **Utilities.** Applicant has requested letters of no objection from all exiting utilities in the 15-foot alley. Applicant will assume any costs associated with the relocation of utilities. See attached letters that were sent to each utility provider. Applicant will update this application once the response letters are received from each utility provider.

### **CRITERIA:**

#### **Sec. 47-24.6. Vacation of rights-of-way.**

a. The right-of-way or other public place is no longer needed for public purposes;

**RESPONSE: Applicant has purchased all parcels abutting the alley and plans to construct a mixed use development on the entire block. Therefore, the alley is no longer necessary to serve the existing parcels. Additionally, Applicant will be improving the sidewalks along North Andrews Avenue and NE 1<sup>st</sup> Avenue. Therefore, the alley is no longer necessary as a pedestrian access-way from NE 5<sup>th</sup> Street to NE 6<sup>th</sup> Street.**

and

b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;

**RESPONSE: Applicant proposes to improve the sidewalks and streetscape along NE 1<sup>st</sup> Avenue and North Andrews Avenue. Applicant will improve these alternate routes, thereby creating beneficial impacts to the surrounding areas.**

and

c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;

**RESPONSE: The closure of the 15' alley will not impact a vehicles ability to turn around and exit the area because Applicant proposed to vacate the entire alley. Alternate pedestrian and vehicular paths are provided along North Andrews Avenue and NE 1<sup>st</sup> Avenue which serve the same purpose as the alley.**

and

d. The closure of a right-of-way shall not adversely impact pedestrian traffic;

**RESPONSE: The closure of the 15' alley will not adversely impact pedestrian traffic. Applicant is constructing new sidewalks around the Property and improving the existing sidewalks.**

and

e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the

satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.

**RESPONSE: Applicant has requested a letter of no objection from all existing utilities in the alley. To the extent that any utilities within this area are abandoned or relocated, a temporary utility easement will be retained by the City until such abandonment or relocation.**



Easement & Right-of-Way Vacation Letter

2/2/2017

To: Spencer Teufel  
Kimley Horn  
600 N Pine Island Ste 450  
Plantation, FL 33324

**Subject:** Metropolitan Apartments – 15’ Alley Vacation City of Fort Lauderdale North Andrews and NE 6<sup>th</sup> Street

- (X) We have no facilities in the area to be vacated; therefore, we have no objections to this vacation.

  
\_\_\_\_\_  
David Rivera  
Gas Design Technician

- ( ) We have facilities in the area to be vacated; however, we have no objections to this vacation providing the applicant will pay for the relocation retirement or replacement of these facilities.

\_\_\_\_\_  
David Rivera  
Gas Design Technician

- ( ) We have facilities in the area to be vacated which cannot be relocated for technical reasons, however, we have no objections to the vacation providing a utility easement is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

\_\_\_\_\_  
David Rivera  
Gas Design Technician

- ( ) We have objection to the proposed vacation for the following reasons:  
PGS has facilities in the easement and cannot be relocated.

\_\_\_\_\_  
David Rivera  
Gas Design Technician



February 14, 2017

Spencer Teufel  
600 N Pine Island Rd Suite 450  
Plantation, FL, 33324

Re: Metropolitan Apartments- 15' Alley Vacation – City of Fort Lauderdale North Andrews  
And North

Dear Spencer Teufel,

FPL has no objection to abandoning or vacating the above requested easement.

However, FPL has existing overhead facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer's expense. Prior to this being done, provisions must be made, new easements secured and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at 954 717 2138 should you have any questions or concerns.

Yours truly,

A handwritten signature in black ink, appearing to read 'Mateo Tangarife', written over a horizontal line.

Mateo Tangarife  
Associate Engineer



**Engineering – Design Department**  
**2601 SW 145<sup>th</sup> Ave Miramar, FL 33027**

Wednesday, February 15, 2017

**Spencer Teufel, P.E., LEED AP BD+C**  
**Kimley-Horn**  
**600 N. Pine Island Road, Suite 450,**  
**Plantation, Florida 33324**

RE: **Letter of No Objection**  
**The Metropolitan Apartments**  
**15' Alley Vacation**  
**N. Andrews Ave between NE 5<sup>th</sup> Street and NW 6<sup>th</sup> Street**  
**Ft. Lauderdale, FL**  
**Comcast muid\_7027\_B**

**Dear Mr. Teufel, P.E., LEED AP BD+C**

Please be advised ...in reference to the proposed 15' Public Alley Vacation located N. Andrews Ave between NE 5<sup>th</sup> Street and NW 6<sup>th</sup> Street in Ft. Lauderdale, FL

Comcast has *no objection* to the proposed vacation as outlined in the above reference request.

**However, Please Be Advised**\_forced relocation effort

Comcast has existing /active facilities within the limits of the requested vacation area, which may require our facilities to be relocated or removed to accommodate your redevelopment plans, while maintain the continuity of our services to the adjacent communities.

Therefore, Comcast will seek reimbursement for its relocation efforts, to include any new design, recorded easements that may be acquired by separate instrument, R/W permit acquisitions, engineering, construction, M.O.T design and set-up, splicing, as-built documentation and legal fees when necessary, ...are to be paid in full at the customer's expense and prior to any construction.

To help accommodate your project, Comcast will required a complete set of plans / surveys and is willing to meet with you, the owners and their consultants to planning this relocation project.

**Planned New Development**\_serviceability request

You planned redevelopment area will be located within a Comcast Service Area. Comcast has the capacity to provide our products and services to your planned community / project.

For further information on the provision of service to this location, please contact our

Business Development Department.

**Margaret Hutter**

Comcast Business Development

Ph. **(954) 514-8310**

Should you have any further question, please feel free to call me at 1-954-447-8405 e-fax 1-954-534-7008 or e-mail at [Leonard\\_Maxwell-Newbold@cable.comcast.com](mailto:Leonard_Maxwell-Newbold@cable.comcast.com)

Sincerely,

**Leonard Maxwell-Newbold**  
**Regional Permit Manager**  
**Comcast / Southern Division ( RDC )**  
10/2/2015 4:26:10 PM

Cc:

File

Mariana Russell - Utilities Pros

John Matonti - Comcast Area Construction Coordinator ( Northern Broward )

Ric Davidson - Comcast Area Construction Supervisor



February 15, 2017

Mr. Spencer Teufel, P.E.  
Kimley-Horn and Associates, Inc.  
600 N. Pine Island Road, Suite 450  
Plantation, FL. 33324

Subject: Proposed ROW/UE Vacations  
Metropolitan Apartments  
N. Andrews and N.E. 6<sup>th</sup> Street  
City of Fort Lauderdale

Dear Mr. Teufel,

This letter is in response to your request for a letter regarding the proposed vacations of the alley right-of-way and applicable easements that run North/South between NE 6<sup>th</sup> Street and NE 5<sup>th</sup> Street within Block 6, amended Plat of Blocks 1-8 North Lauderdale as recorded in Plat Book 1, page 182, of the Public Records of Miami-Dade County.

We have determined that there is City gravity sewer infrastructure facilities located within the subject right-of-way and easement. We do not object to the proposed vacation of said right-of-way and utility easement provided the vacations are conditioned upon the relocation, removal, or abandonment of any City Utility infrastructure found within the boundaries of the identified area. Relocation, removal, or abandonment of the utilities must be consistent with approved engineering plans, at the developer's expense. The relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Utilities Department.

Should you have questions regarding this matter, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson  
Utilities Distribution and Collection Systems Manager

CC: Ms. Ella Parker





John Hughes  
Manager - OSP Planning  
& Engineering Design

ATT Florida  
8601 W Sunrise Blvd  
Plantation, FL 33322

T: 954-423-6326  
jh0247@att.com

February 16 2017

RE: Archco Metropolitan Apartments – 15' Alley Vacation for BR ArchCO Flagler Village, LLC. At 500, 540, 560 N ANDREWS AVE, FORT LAUDERDALE FLORIDA 33301

To whom it may concern,

Please be advised, AT&T has no objection to vacating the existing easement at the above referenced location and further described on the attached legal description and sketch. Please note that any removal or relocation of existing facilities required will be at the cost of the owner/developer. The plan for such rearrangements will also need to be coordinated with and approved by AT&T.

Thank you for choosing AT&T Florida.

Respectfully,

A handwritten signature in black ink, appearing to read "John Hughes".

John Hughes  
Manager - OSP Planning & Engineering Design  
ATT Florida  
954-423-6326



**STONER & ASSOCIATES, INC.**

SURVEYORS - MAPPERS  
Florida Licensed Surveying  
and Mapping Business No. 6633

4341 S.W. 62nd Avenue  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

**LEGAL DESCRIPTION OF  
15' ALLEY VACATION  
METROPOLITAN APARTMENTS  
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA  
SECTION 3, TOWNSHIP 50 SOUTH, RANGE 42 EAST**

A 15-FOOT ALLEY WITHIN BLOCK 6, AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32 AND 33 NORTH LAUDERDALE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID PLAT NOW SITUATE, LYING, AND BEING IN BROWARD COUNTY, FLORIDA.

SAID ALLEY BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 52 OF SAID BLOCK 6; ON THE SOUTH BY THE WESTERLY EXTENSION OF SOUTH LINE OF LOT 26, OF SAID BLOCK 6; ON THE EAST BY THE WEST LINE OF LOTS 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, AND 26 OF SAID BLOCK 6; AND ON THE WEST BY THE EAST LINE OF LOTS 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 AND 52 OF SAID BLOCK 6

SAID LANDS SITUATE AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 9,751 SQUARE FEET, MORE OR LESS.

**NOTES:**

1. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD.
2. THIS SKETCH AND DESCRIPTION IS "NOT VALID" WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF FLORIDA LICENSED SURVEYOR AN MAPPER.
3. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY. (THIS IS NOT A SURVEY).
4. THE LEGAL DESCRIPTION SHOWN HEREON WAS AUTHORED BY STONER & ASSOCIATES, INC. WITHOUT THE BENEFIT OF A TITLE SEARCH.
5. THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF S.02°08'12"E., ALONG THE EAST LINE OF BLOCK 6, AMENDED PLAT OF NORTH LAUDERDALE, RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
6. SEE SHEET 2 OF 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE 15-FOOT ALLEY DESCRIBED HEREON.

DATE: Jan 03, 2017 - 1:40pm EST

FILE: F:\Draw\MISC\16-8426 Metropolitan Apartments\01-Drawing\16-8477-VAC.dwg

**CERTIFICATE:**

THIS IS TO CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

REVISIONS	DATE	BY

DATE OF SIGNATURE: 1/3/17

**WALTER DE LA ROCHA**

PROFESSIONAL SURVEYOR AND MAPPER NO. 6081 - STATE OF FLORIDA

THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC. COPYRIGHT © 2017

DATE OF SKETCH:	DRAWN BY	CHECKED BY	FIELD BOOK
01/03/17	WDLR	JDS	N/A

**SEAL**

NOT VALID UNLESS  
SEALED HERE WITH  
AN EMBOSSED  
SURVEYOR'S SEAL

SKETCH NO. 16-8477-VAC

SHEET CAM#17-0936

2 of 3



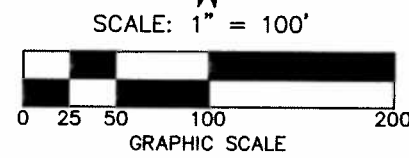
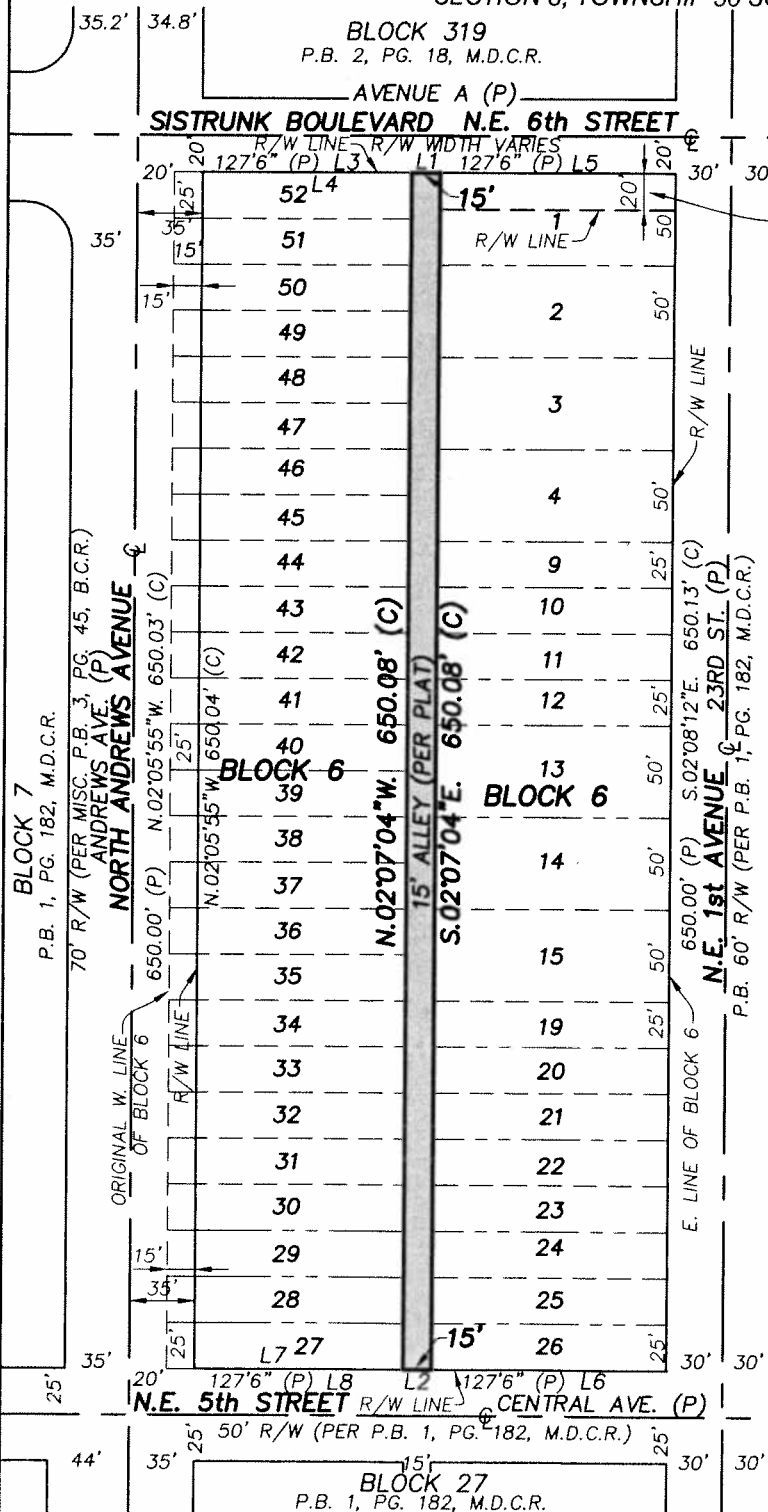
# STONER & ASSOCIATES, INC.

SURVEYORS - MAPPERS  
Florida Licensed Surveying  
and Mapping Business No. 6633

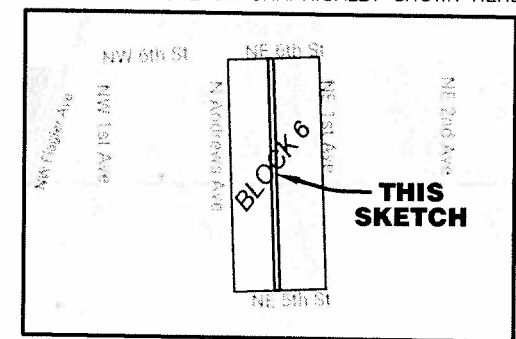
4341 S.W. 62nd AVE.  
Davie, Florida 33314

Tel. (954) 585-0997  
Fax (954) 585-3927

## SKETCH OF DESCRIPTION 15' ALLEY VACATION METROPOLITAN APARTMENTS FORT LAUDERDALE, BROWARD COUNTY, FLORIDA SECTION 3, TOWNSHIP 50 SOUTH, RANGE 42 EAST



NOTE:  
SEE SHEET 1 OF 2 FOR  
THE LEGAL DESCRIPTION OF THE  
SKETCH GRAPHICALLY SHOWN HEREON.



LOCATION MAP  
NOT TO SCALE

LINE	BEARING	DISTANCE
L1	N.87°53'32"E	15.00'
L2	S.87°54'44"W	15.00'
L3	N.87°53'32"E	127.37'
L4	N.87°53'32"E	112.37'
L5	N.87°53'32"E	127.37'
L6	S.87°54'44"W	127.59'
L7	S.87°54'44"W	112.59'
L8	S.87°54'44"W	127.59'

- LEGEND:
- B.C.R. .... BROWARD COUNTY RECORDS
  - (C) .... DATA BASED ON CALCULATIONS
  - Ⓞ .... CENTERLINE
  - L1 .... LINE TABLE
  - LB .... LICENSED BUSINESS
  - M.D.C.R. .... MIAMI-DADE COUNTY RECORDS
  - MISC. .... MISCELLANEOUS
  - O.R.B. .... OFFICIAL RECORDS BOOK
  - (P) .... DATA BASED ON THE PLAT OF RECORD
  - P.B. .... PLAT BOOK
  - PG. .... PAGE
  - R/W .... RIGHT OF WAY
  - SQ.FT. .... SQUARE FEET

2 of 3