

ORDINANCE NO. C-12-50

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF SOUTHEAST 9 STREET ADJACENT TO PARCEL "A" (DEDICATED AS A 5 FOOT ADDITIONAL THOROUGHFARE), "PAT'S PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 154, PAGE 5 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF SOUTHEAST 8 STREET, WEST OF SOUTHEAST 2 AVENUE AND EAST OF SOUTH ANDREWS AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, D. Fredrico Fazio, applied for the vacation of a certain right-of-way as described in Section 1 herein associated with the development known as French Village; and

WHEREAS, the Planning and Zoning Board, at its meeting of October 17, 2012 (PZ Case No. 11-P-12), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described portion of a street subject to conditions; and

WHEREAS, the City Clerk notified the Public of a public hearing to be held on Tuesday, December 18, 2012 and Tuesday, January 8, 2013 at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the Unified Land Development Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the below-described portion of a street is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way, subject to the retention of a utility access easement and conveyance of a five-foot pedestrian easement as provided below:

See Exhibit attached hereto and made a part hereof

Location: South of S.E. 8th Street, west of S.E. 2nd Avenue and East of South Andrews Avenue.

SECTION 2. That the applicant shall retain a utility access easement over the vacated right-of-way and shall convey a five-foot pedestrian easement as approved by the City Engineer in accordance with Commission Agenda Report No. 12-2481.

SECTION 3. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.


SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten days from the date of final passage.


PASSED FIRST READING this the 18th day of December, 2012.

PASSED SECOND READING this the 8th day of January, 2013.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA
 33301 PHONE (954) 763-7611 * FAX (954) 763-7615

W.D. OK
Pending access to
existing easements

SCALE 1" = 30'

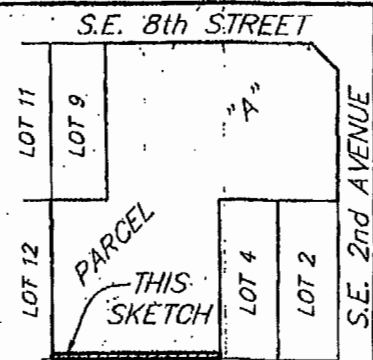
**SKETCH AND DESCRIPTION
 TO ACCOMPANY VACATION PETITION
 A PORTION OF S.E. 9th STREET
 ADJACENT TO PARCEL "A"
 PAT'S PLAT (P.B. 154, PG. 5, B.C.R.)**

LEGAL DESCRIPTION:

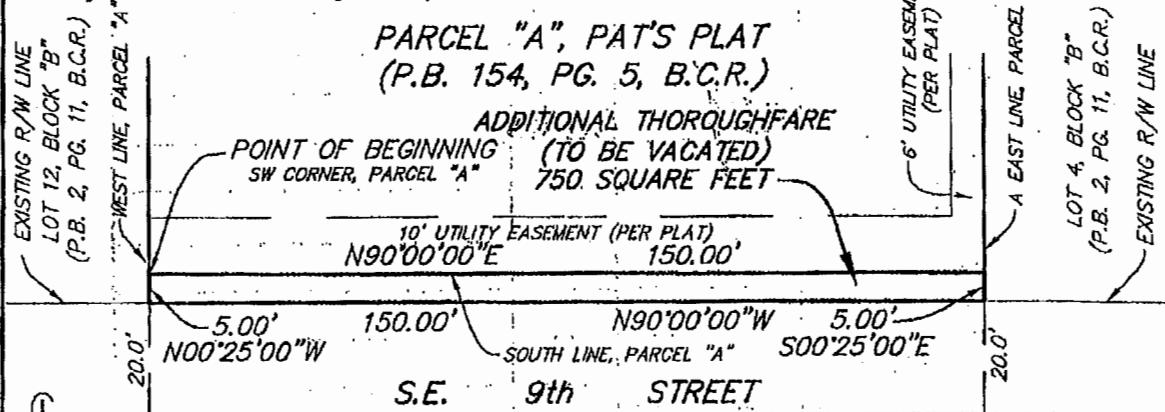
A portion of S.E. 9th Street additional thoroughfare, South of and adjacent to Parcel "A", PAT'S PLAT, according to the plat thereof, as recorded in Plat Book 154, Page 5, of the public records of Broward County, Florida, more fully described as follows:

Beginning at the Southwest corner of said Parcel "A"; thence North 90°00'00" East, on the South line of said Parcel "A", a distance of 150.00 feet; thence South 00°25'00" East, on the Southerly extension of a Easterly line of said Parcel "A", a distance of 5.00 feet; thence North 90°00'00" West, on a line 5.00 feet South of and parallel with the said South line of Parcel "A", a distance of 150.00 feet; thence North 00°25'00" West, on the Southerly extension of the West line of said Parcel "A", a distance of 5.00 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 750 square feet or 0.0172 acres more or less.



S.E. 9th STREET
 SITE LAYOUT
 NOT TO SCALE



CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 31st day of January, 2012.
 Revised this 24th day of August, 2012.

McLAUGHLIN ENGINEERING COMPANY

Carl E. Albrektzen
 CARL E. ALBREKTZEN
 Registered Land Surveyor No. 4185
 State of Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the South line of Parcel "A", as North 90°00'00" East.

FIELD BOOK NO. _____

DRAWN BY: JMM

JOB ORDER NO. U-7121

CHECKED BY: CA

REF. DWG.: 11-3-50
 C: \JMMJR\2012\U7121(VACATION)

Exhibit