

## Right-of-Way Vacation Narrative Portion of NE 8<sup>th</sup> Street

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Holman Automotive, Inc. ("Applicant") is seeking to vacate a 40 foot wide right-of-way ("Right-of-Way") consisting of a portion of NE 8<sup>th</sup> Street in the City of Fort Lauderdale ("City"). The Right-of-Way has been fenced off on both ends since 1987 and therefore has not been utilized for public purposes for over 30 years. The Right-of-Way abuts two properties owned by Applicant (between Folio 4942 3407 1500 and 4942 34 06 2620). The Right-of-Way is identified as right-of-way on the Broward County Property appraiser's website. The Right-of-Way was created by the Progresso Plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida.

The Right-of-Way is subject to that certain Encroachment Agreement recorded in Official Records Book 12963, Page 490 of the Public Records of Broward County, Florida entered into between the City and Applicant (note: Applicant's corporate name was Fort Lauderdale Lincoln Mercury, Inc. at that time) pursuant to which Applicant was given the right to utilize the Right-of-Way for paving, landscaping, and fencing for parking lot purposes. The City does not utilize the Right-of-Way except for utilities as described in more detail below. Additionally, Applicant's traffic engineer noted safety concerns if the Right-of-Way was to be opened for regular vehicular traffic as it will create a dangerous intersection.

The vacation criteria set out by the City pursuant to 47-24.6(4) of the ULDR are satisfied as follows:

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

As stated above, the Right-of-Way has been fenced off since 1987 and therefore has not been utilized for a public purpose for over 30 years. Vacating the Right-of-Way will actually serve a public purpose as Applicant is simultaneously proposing to dedicate a replacement non-exclusive easement for utilities, a pedestrian walkway, and for emergency vehicle access. Moreover, Applicant's traffic engineer noted safety concerns if the Right-of-Way was to be opened for regular vehicular traffic as

it will create a dangerous intersection. The Institute of Transportation Engineers (ITE) recommends intersecting angles to be at least 70 degrees or greater. Anything less than 70 degrees is considered unsafe. NE 8<sup>th</sup> Avenue and Progresso Drive currently intersect at approximately 45 degrees. Additionally, since NE 8<sup>th</sup> Street has been closed for over 30 years, vacating this area of NE 8<sup>th</sup> Street will not change current traffic patterns.

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

Alternate routes are not required as the Right-of-Way has been fenced off since 1987 and is not used for any public purpose. The main access is Progresso Drive which allows access to NE 1<sup>st</sup> Avenue (on the west of the Property) and access is allowed to NE 2<sup>nd</sup> Avenue (east side of property). The vacation of the Right-of-Way does not change the aforementioned access. From the standpoint of the benefit of the community as a whole, the request to vacate the Abandoned Easement does not have any adverse impacts as the Applicant will be providing a replacement easement that will continue a regular and harmonious system for pedestrian and emergency vehicular circulation in the area.

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

On the east side of the Property, there is a 15 foot alley to provide turn around access. As explained herein, the Right-of-Way is already closed off and has been closed off for many years. As such, the vacation will not impact the safety for vehicles to turn around and exit the area.

**4. The closure of a right-of-way shall not adversely impact pedestrian traffic; and**

Granting of the vacation of the Right-of-Way and simultaneous dedication of an easement will reopen the vacation area to pedestrian traffic and continue to keep it closed to regular vehicular traffic thereby adhering to the safety concerns as stated above by Applicant's traffic engineer.

**5. 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.**

As part of the proposed Right-of-Way vacation, the utilities located within the

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New York Orlando Phoenix Portland Tallahassee Tampa West Palm Beach

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vacation area that are held by the City will remain in their existing location and a new easement will be provided for the utilities to continue their operation and maintenance. All affected utility franchises have provided letters of no objection to the vacation request subject to receiving the required easements from the Applicant.

**Sanitary Sewer:**

Per agreement with City Public Works, it is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8<sup>th</sup> Street. This sewer pipe provides service to the properties located on NE 2<sup>nd</sup> Avenue south of Sunrise Boulevard to NE 8<sup>th</sup> Street and east to NE 1<sup>st</sup> Avenue and beyond. It is the intent to leave the existing sanitary sewer within the vacated right of way of NE 8<sup>th</sup> Street and dedicate a utility easement over it.

**Drainage System:**

In connection with future development, it is the intent to replace the existing drainage pipe within the vacated NE 8<sup>th</sup> Street right of way, as the existing pipe is decades old. This drainage pipe is within the easement to be dedicated.

**FPL and Comcast Lines:**

Overhead Florida Power and Light electric lines and poles are located on the north side of NE 8<sup>th</sup> Avenue. It is the intent to relocate the existing utilities with future development. FPL has agreed to remove their existing facilities and vacate the existing easement. A complete set of plans will be provided prior to construction as required by FPL. See attached letter from FPL. Comcast utilities are collocated with the FPL lines and will continue to be collated on the new FPL poles.

**AT&T:**

AT&T utilities are not located within the Right-of-Way under consideration for vacation.

**TECO Gas:**

Teco utilities are not located within the Right-of-Way under consideration for vacation.

**Potable Water Lines:**

Potable water lines are not located within the Right-of-Way under consideration for vacation.

Boca Raton Denver Edison Ft. Lauderdale Las Vegas Los Angeles Miami Naples  
New York Orlando Phoenix Portland Tallahassee Tampa West Palm Beach

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July 22, 2019

Mr. Adam Schnell  
City of Fort Lauderdale  
Urban Design & Planning  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311

**Re:** Vacation of Right of Way  
Portion of NE 8<sup>th</sup> Avenue  
DRC Comment No. 3  
W&F Project No. 19019

Dear Mr. Schnell;

In response to your request to indicate the project's compliance with the following ULDR Sections by providing a point-by-point narrative response, on letter head, with date and author indicated.

- a. Sec. 47-25.2, Adequacy Requirements

We have added the section of the code followed by our responses below.

**47-25.2. - Adequacy requirements.**

A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

**A.1. No response required.**

B. *Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**B.1. No building is proposed with this vacation request, therefore we do not believe there will be any interference created.**

C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

**C.1. When the property is vacated and developed, the stormwater system for the development will incorporate this property into the system and provide adequate stormwater storage for the property. (1" or 2.5" times percent impervious).**

D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which

address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:

a. Broward County Ordinance No. 89-6.

b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.

c. Broward County Ordinance No. 84-60.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**D.1. This property currently does not contain any Environmentally Sensitive Lands.**

*E. Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

**E.1. The vacated property does not have any existing structures located on it. Adequate Fire protection exists today and will continue after the vacation.**

*F. Parks and open space.*

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.

2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**F.1. This application is for the vacation of public right of way. Therefore no park impact will be addressed at this time.**

*G. Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**G.1. This vacation application of the right of way will is not proposing any change to the property use.**

*H. Potable water.*

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

**H.1.1. This vacation application is not proposing any demand for potable water.**

*2. Potable water facilities.*

a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

**H.2.a.1. There are no structures within the right of way connected to the city system at this time.**

b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.

**H.2.b.1. This vacation application is not requesting a connection to the potable water system.**

c. Where the county is the projected service provider, a similar written assurance will be required.

**H.2.c.1. This property is served by the City of Fort Lauderdale water treatment plant and we are not requesting a connection to the system at this time.**

*I. Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

**I.1.1. There are no structures within the right of way connected to the city system at this time.**

2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.

**I.2.1. This vacation application is not requesting to reserve any plant capacity at this time.**

3. Where the county is the projected service provider, a written assurance will be required.

**I.3.1. This property is served by the City of Fort Lauderdale sewage treatment plant and we are not requesting a connection to the system at this time.**

4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

**I.4.1. Septic tanks are not proposed for this property.**

J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development

on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

**J.1. The vacation of this property is not requesting any approval for a residential development.**

*K. Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.

**K.1.1. This vacation application is not requesting any development on the property, therefore solid waste collection facilities will not be affected.**

2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

**K.2.1. This vacation application is not requesting any development on the property, therefore solid waste collection facilities will not be affected.**

*L. Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

**L.1. This vacation application is not applying to change the existing property elevation or imperviousness.**

*M. Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

**M.1.1. The subject section of NE 8<sup>th</sup> Street is currently closed. The proposed plan is to maintain the subject facility closed permanently.**

2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or

and programmed trafficways.

iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.

iv. A further detailed analysis and any other information that the review committee considers relevant.

v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.

vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**M.4.1. The proposed street vacation is not part of a development application and therefore, a traffic impact analysis does not appear to be warranted.**

5. *Dedication of rights-of-way.* Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

**5.1. This application is for a right of way vacation.**

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

**6.1. No sidewalks are present with the right of way under consideration for vacation.**

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

**7.1. N.E. 8<sup>th</sup> Street is not a arterial street.**



existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

**M.2.1 The closest regional transportation facilities include North Andrews Avenue and NE 3<sup>rd</sup> Avenue. North Andrews Avenue has a 4-lane capacity of 29,160 vehicles per day and current traffic levels are 18,300 vehicles per day, based on Broward County and FDOT. Similarly, NE 3<sup>rd</sup> Avenue has a 4-lane capacity of 32,400 vehicles per day and current traffic levels are 11,400 vehicles per day. Hence, ample roadway capacity is available on nearby regional facilities.**

3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

**M.3.1. The subject section of NE 8<sup>th</sup> Street is currently closed. The proposed plan is to maintain the subject facility closed permanently. Hence, no new traffic impacts are projected on NE 8<sup>th</sup> Street and nearby local streets.**

4. *Traffic impact studies.*

a. When the proposed development may generate over one thousand (1,000) daily trips; or b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ( $\frac{1}{2}$ ) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ( $\frac{1}{2}$ ) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:

i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.

ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

**8.1. This application is for vacation of right of way. There are presently no traffic control devices or mechanisms that will be affected.**

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**9.1. This application is for a vacation of a right of way. No new right of way is proposed.**

N. *Wastewater.*

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

**N.1.1 This application is for a right of way vacation with no request for a proposed development.**

O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan

within six (6) months of the effective date of this provision.

**O.1. This application is for a right of way vacation with no request for a proposed development.**

*P. Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**P.1.1. There are no structures located within the right of way associated with this vacation request.**

*Q. Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

**Q.1. This vacation request is located west of the intercoastal Waterway and is not located on an evacuation route.**

If you have any questions, do not hesitate to contact our office.

Sincerely,  
WINNINGHAM & FRADLEY, INC.

Grant S. Besing, P.E.

cc: Bob Bamonte  
Marla Neufeld  
John Shiekman

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Grant Besing, P.E.  
Winningham & Fradley, Inc.  
111 NE 44<sup>th</sup> Street,  
Oakland Park, Florida 33334

Subject: **Proposed Right-of-Way Vacation for Portion of NE 8<sup>th</sup> Street (DRC Case No. V19008)**

Dear Mr. Besing,

This letter is in response to your request of a letter of No Objection regarding the proposed Right-of-Way vacation described as follows:

A portion of NE 8<sup>th</sup> Street 40-ft Right-of-Way as dedicated by "Progresso" according to the plat thereof as recorded in Plat Book 2 at Page 18 of the Public Records of Dade County, Florida, described as follows:

Beginning at the Southwest corner of Block 257 of said plat run South 02°34'17" West, 40.00 feet to an intersection with the southerly Right-of-Way line of said NE 8<sup>th</sup> Street; thence run South 87°23'38" East along the southerly Right-of-Way line of said NE 8<sup>th</sup> Street, 127.50 feet; thence run North 02°34'17" East, 40.00 feet to an intersection with the northerly Right-of-Way line of said NE 8<sup>th</sup> Street; thence run North 87°23'38" West (basis of bearings on an assumed meridian) along the northerly Right-of-Way line of said NE 8<sup>th</sup> Street, 127.50 feet to the point of beginning.

Said lands situate, lying, and being in the City of Fort Lauderdale, Broward County, Florida.

Based on review of the documents provided and our assessment of City of Fort Lauderdale (City) records, it appears there are City facilities located within the Right-of-Way. The City has **no objection** to the proposed vacation of the Right-of-Way described above provided that the vacation is conditioned upon either the dedication of appropriate utility easements back to the City for any utilities that are to remain or the relocation, removal, or proper abandonment of the existing utilities found to be in conflict. Any relocation, removal, or abandonment of the existing utilities must be conducted with consultation with City staff, with approved engineering plans, at the developer's expense, and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

Should you have any questions or require any additional information, please contact me at (954) 828-6126.

Sincerely,



Thomas Lawrence, P.E.  
Project Manager II



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

Thursday, October 24, 2019

**NE 8TH ST/ Holman Honda**

**RE: Letter of No Objection / Abandonment of Easement**

**NE 8TH ST/ Holman Honda**  
**Comcast muid\_10157\_B**

**Dear Holman Honda**

**Petitioner/Owner Intent to Vacate 40” right-of-way for a portion of NE 8<sup>th</sup> Street between Progresso Drive and NE 1<sup>st</sup> Ave (“Right-of-Way” (see attached Sketch and legal description) Found in Section 34, Township 49, Range 42 in the City of Fort Lauderdale located on the Progresso plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida**

We have no objection to the above-referenced vacation of right-of-way as follows:

Comcast will remove and relocate any existing facilities and vacate the existing easement at this location at the customer’s expense.

Completed by: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: **Leonard Maxwell-**

Digitally signed by Leonard Maxwell-Newbold

Title: **Newbold**

Date: 2019.10.24 15:58 -04'00'

Address: \_\_\_\_\_

Dated: \_\_\_\_\_



Florida Power & Light Company  
3020 NW 19<sup>th</sup> St, Fort Lauderdale, FL 33311

October 4, 2019

Holman Automotive Group, Inc.  
911 NE 2<sup>nd</sup> Ave  
Miami Beach, FL 33139

Re: Holman Bentley Collision Center –810 NE 1<sup>st</sup> Ave, Fort Lauderdale, FL 33304  
"PROGRESSO PLAT" (P.B 2. PG 18. D.C.R.)

Dear Bob Bamonte,

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

However, FPL has existing 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) 717-2057 should you have any questions or concerns.

Thank you,

A handwritten signature in black ink that reads "Troy Lewis".

Troy Lewis  
Engineer II

A NEXtera ENERGY Company



6/24/2019

To: Marla Neufeld, Esq.  
GreenspoonMarder Law  
200 E. Broward Blvd Ste 1800  
Ft. Lauderdale, FL 33301

RE: Vacation of ROW:  
Vacate 40' platted right-of-way for a portion of NE 8<sup>th</sup> Street between Progresso Drive and NE 1<sup>st</sup> Ave.  
Section 34, Township 49, Range 42 in the City of Ft. Lauderdale located on the Progresso Plat, recorded  
in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, FL

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacation of right-of-way at the  
above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this  
vacate.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joan Domning".

Joan Domning  
Administrative Specialist, Senior  
Peoples Gas-Distribution Engineering  
8416 Palm River Road  
Tampa, FL 33619  
Office: 813-275-3783

**GreenspoonMarder** LAW  
888-491-1120  
www.gmlaw.com

From the desk of:  
Marla Neufeld, Esq.  
200 East Broward Boulevard, Suite 1800  
Fort Lauderdale, Florida 33301  
Direct Phone: 954.761-2929  
Direct Fax: 954.333.4266  
Email: marla.neufeld@gmlaw.com

Re: **Petitioner/Owner Intent to Vacate 40' right-of-way for a portion of NE 8<sup>th</sup> Street between Progresso Drive and NE 1<sup>st</sup> Ave ("Right-of-Way") (see attached Sketch and Legal Description) Found in Section 34, Township 49, Range 42 in the City of Fort Lauderdale located on the Progresso plat, recorded in Plat Book 2, Page 18 of the Public Records of Miami-Dade County, Florida**

1.  We have no objection to the vacation of the Easement.
2. \_\_\_\_\_ We have no objection to the vacation if the following is satisfied:  
\_\_\_\_\_
3. \_\_\_\_\_ We have no objection as follows: \_\_\_\_\_

Completed by: DYKE TITLE at  
AT&T  
Signature: *Dyke Title*  
Print Name: DYKE TITLE  
Title: MNGA, DSP ENGR & PLANNING  
Address: 8601 W SUNRISE BLVD  
PLANTATION, FL  
Dated: 6/25/2019



EXHIBIT A

See attached submittal of vacation area



Aventura | Boca Raton | Ft. Lauderdale | Las Vegas | Miami | Naples | Orlando | Port St. Lucie | Tampa | West Palm Beach  
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