

RESOLUTION NO. 24-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN 6.00 FOOT DRAINAGE EASEMENT RECORDED IN DEED BOOK 580, PAGE 377, AND ALSO BEING THE SOUTH 6.00 FEET OF LOT 31, BLOCK 3, "RIVIERA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 17, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF RIVIERA ISLE DRIVE, NORTH OF THE NEW RIVER, EAST OF SOLAR ISLE DRIVE AND SOUTH OF SOLAR PLAZA DRIVE, 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"), 600 Solar Isles, LLC, is applying for the vacation of a 6-foot wide by 125-foot long drainage easement (Case No. UDP-EV23005) more fully described in SECTION 2 below, located at 600 Solar Isle Drive, 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 City Engineer has certified that there is no objection to the vacation; 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 February 6, 2024, a portion of those findings expressly listed as follows:

1. Letters of no objection from the utility companies are included in this submission, stating that they have no objection to the vacation of the easement on owner's property. According to the letters of no objection, there are no active utilities located within the drainage easement. Therefore, this easement is no longer needed for public purposes.
2. Applicant has provided letters of no objection from TECO, AT&T, FPL, Comcast, and the City's Public Works Department. As a condition of approval from the City's Public Works Department, a new 10-foot exclusive drainage easement shall be granted over the new 15-inch outfall pipe as shown in the plans reviewed by Public Works.

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

THAT CERTAIN 6.00 FOOT DRAINAGE EASEMENT RECORDED IN DEED BOOK 580, PAGE 377, AND ALSO BEING THE SOUTH 6.00 FEET OF LOT 31, BLOCK 3, "RIVIERA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 17, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of Riviera Isle Drive, north of the New River, east of Solar Isle Drive and south of Solar Plaza Drive

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

1. Applicant shall grant or facilitate the granting of an new 10-foot drainage easement to the City of Fort Lauderdale. The 10-foot drainage easement may be granted over the Applicant's property and portions of adjacent properties that are contiguous to the portions of the easement granted on the Applicant's property.

2. At the applicant's cost, a new 15-inch outfall pipe shall be permitted and constructed within the 10-foot exclusive drainage easement granted pursuant to condition 1.
3. Any 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.
4. 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 4 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 6th day of February, 2024.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:



City Attorney
THOMAS J. ANSBRO

Dean J. Trantalis Yea

John C. Herbst Yea

Steven Glassman Yea

Pamela Beasley-Pittman Yea

Warren Sturman Yea

EXHIBIT "A"

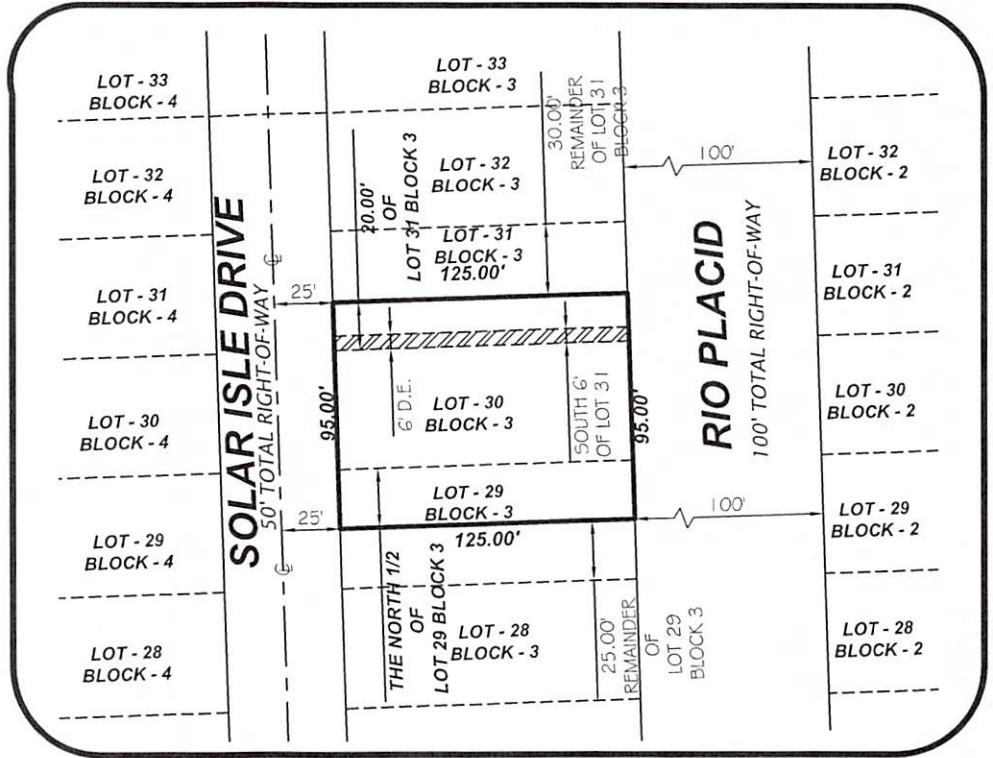
M.D.O.K.

**SKETCH & LEGAL DESCRIPTION OF A
EASEMENT ON DEED BOOK 580 PAGE 377
TO BE VACATED, NULL AND VOID
LOCATION MAP
THIS IS NOT A BOUNDARY SURVEY
BROWARD COUNTY, FLORIDA**



PROPERTY ADDRESS: 600 SOLAR ISLE DRIVE FORT LAUDERDALE, FLORIDA 33301
FOLIO : 5042 -12 -08 -0560

LOCATION SKETCH
SCALE = N.T.S.



SURVEYOR'S NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY JOHN IBARRA & ASSOCIATES, INC.
2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
3. BEARINGS SHOWN HEREON ARE BASED ON PLAT.

- RIVERA (P.B. 6, PG.17)
-LOT 31

D.E.=DRAINAGE EASEMENT
L.B.= LICENSE BUISNESS

SECTION 50 TOWNSHIP 42 SOUTH RANGE 12 EAST
BROWARD COUNTY, FLORIDA

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY: THIS "SKETCH OF LEGAL DESCRIPTION" OF THE PROPERTY DESCRIBED HEREON, HAS RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

Digitally signed by
JOHN A IBARRA
Date: 2024.01.24
14:51:12 -05'00'

01/11/2024

BY:

JOHN IBARRA

(DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 5204 STATE OF FLORIDA

L.B.# 7806

SHEET 1 OF 2. NOT VALID WITHOUT SHEETS 1 THRU 2.

DRAWN BY:	CARLOS D.
DATE :	01/11/2024
SCALE:	NONE
SURVEY NO:	22-002247-5
SHEET:	1 OF 4

JOHN IBARRA & ASSOCIATES, INC.
Professional Land Surveyors & Mappers
WWW.IBARRALANDSURVEYORS.COM

777 N.W. 72nd AVENUE SUITE 3025 MIAMI, FLORIDA 33126
PH: (305) 262-0400 FAX : (305) 262-0401

3725 DEL PRADO BLVD. S. SUITE B CAPE CORAL, FL 33904
PH: (239) 540-2660 FAX: (239) 540-2664



Digitally signed by
JOHN A IBARRA
Date: 2024.01.24
14:51:28 -05'00'

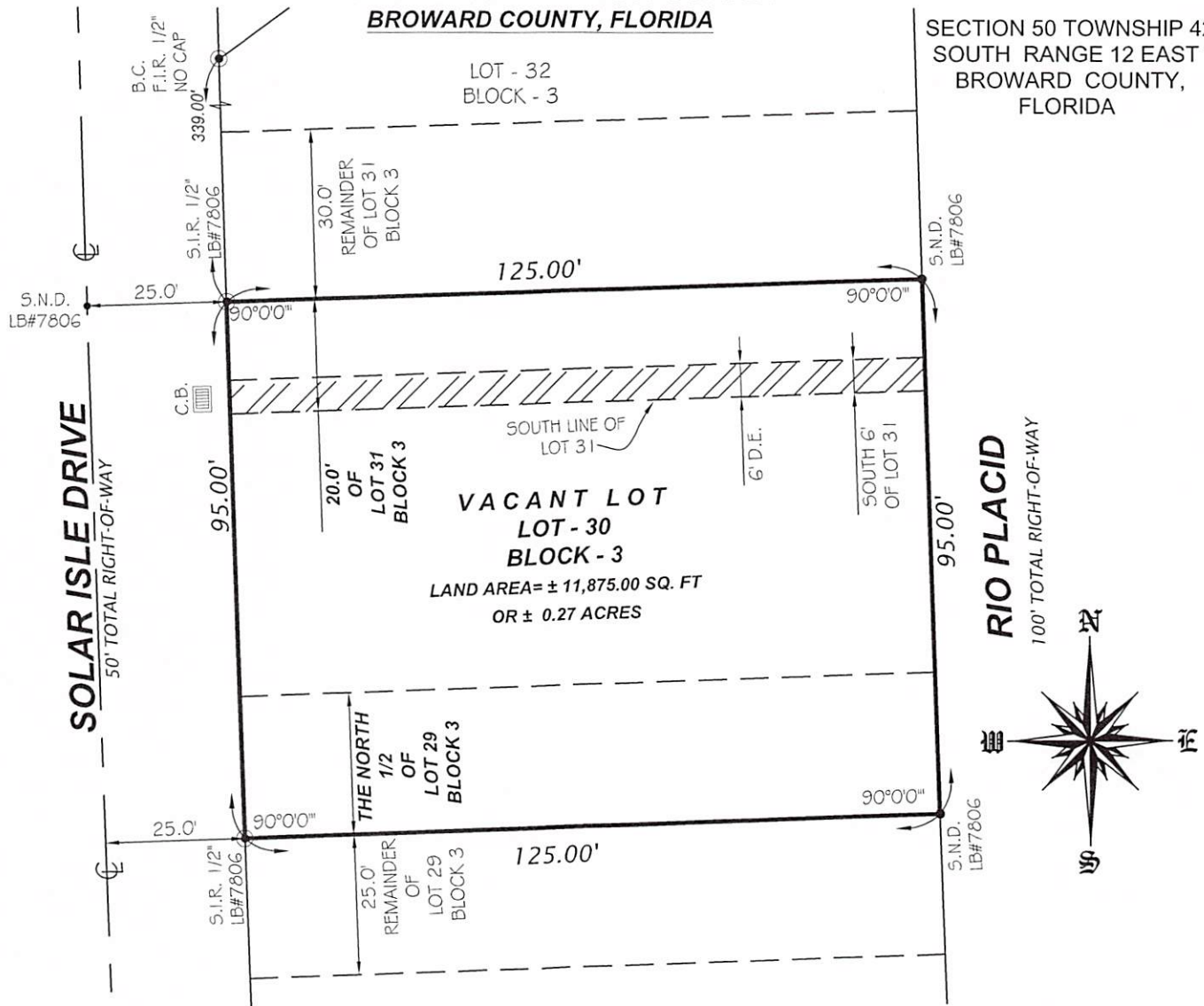
EXHIBIT "A"

M.D.O.K.

**SKETCH & LEGAL DESCRIPTION OF A 6' FOOT DRAINAGE
EASEMENT PER DEED BOOK 580 PAGE 377 TO BE VACATED,
NULL AND VOID**

**THIS IS NOT A BOUNDARY SURVEY
BROWARD COUNTY, FLORIDA**

SECTION 50 TOWNSHIP 42
SOUTH RANGE 12 EAST
BROWARD COUNTY,
FLORIDA



EASEMENT LEGAL DESCRIPTION:

THE SOUTH SIX FEET (S6') OF LOT THIRTY-ONE (31) BLOCK THREE (3) OF RIVIERA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 17 OF THE PUBLIC RECORDS OF BROWARD, COUNTY FLORIDA

CONTAINING LAND AREA OF 750 SQUARE FEET OR ±0.02 ACRES IN THE DESCRIBED LEGAL DESCRIPTION.

L.B.# 7806

SHEET 2 OF 2. NOT VALID WITHOUT SHEETS 2 THRU 2.

DRAWN BY:	CARLOS D.
DATE :	01/11/2024
SCALE:	1"=30'
SURVEY NO:	22-002247-5
SHEET:	2 OF 4

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Digitally signed by
JOHN A IBARRA
Date: 2024.01.24
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