

ORDINANCE NO. C-13-

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL THAT CERTAIN 10 FOOT PLATTED ALLEY LYING SOUTH OF AND ADJACENT TO LOTS 1 THROUGH 18 INCLUSIVE AND LYING NORTH OF AND ADJACENT TO LOTS 19 THROUGH 36 INCLUSIVE, BLOCK "B" "FORT LAUDERDALE LAND AND DEVELOPMENT COMPANY SUBDIVISION OF BLOCK 6", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 57 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, GENERALLY LOCATED NORTH OF NORTHWEST 3RD STREET, WEST OF NORTHWEST 8TH AVENUE, EAST OF NORTHWEST 9TH AVENUE AND SOUTH OF NORTHWEST 4TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, New Mount Olive Baptist Church, Inc., applied for the vacation of certain right-of-way as described in Section 1 herein associated with the development known as New Mount Olive Baptist Church; and

WHEREAS, the Planning and Zoning Board, at its meeting of June 19, 2013 (PZ Case No. 3-P-13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described alley subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, September 17, 2013 and Tuesday, October 1, 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 alley is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way, subject to the public access easement to be conveyed as provided in Section 2 below, more particularly described in the attached Exhibit:

ALL THAT CERTAIN 10 FOOT PLATTED ALLEY LYING SOUTH OF AND ADJACENT TO LOTS 1 THROUGH 18 INCLUSIVE AND LYING NORTH OF AND ADJACENT TO LOTS 19 THROUGH 36 INCLUSIVE, BLOCK "B" "FORT LAUDERDALE LAND AND DEVELOPMENT COMPANY SUBDIVISION OF BLOCK 6", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 57 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Location: North of N.W. 3rd Street, west of N.W. 8th Avenue,
East of N.W. 9th Avenue and South of N.W. 4th Street.

SECTION 2. That the applicant shall convey a public access easement as approved by the City Engineer in accordance with Commission Agenda Report No. 13-1159.

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 this Ordinance shall be in full force and effect on the date a certificate of the City Engineer is recorded in the public records of Broward County evidencing that all conditions of the vacation set forth below have been satisfied:

(a) A public access easement shall be conveyed over the portion of the vacated alley that will be granted to the applicant;

(b) As per AT&T, the owner will be required to grant a new easement, conduit and any other support facilities required by the company within the 10-foot right-of-way to be vacated;

(c) Any utilities required to be removed, replaced or relocated, shall be done so at the applicant's expense, and as approved by the City Engineer. All improvements

constructed within the easement shall conform to City engineering standards; and

(d) The vacating ordinance 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. The 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 5. 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 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the ____ day of _____, 2013.

PASSED SECOND READING this the ____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH



MD. OK

SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
10' ALLEY IN BLOCK "B", FORT
LAUDERDALE LAND AND DEVELOPMENT
COMPANY SUBDIVISION OF BLOCK 6,
Fort Lauderdale, Florida
(PLAT BOOK 1, PAGE 57, D.C.R.)

All that certain 10.00 foot platted Alley in Block "B", FORT LAUDERDALE LAND AND DEVELOPMENT COMPANY SUBDIVISION OF BLOCK 6, Fort Lauderdale, Florida, according to the plat thereof, as recorded in Plat Book 1, Page 57, of the public records of Dade County, Florida, lying South of and adjacent to Lots 1 through 18 inclusive of said Block "B" AND North of and adjacent to Lots 19 through 36 inclusive of said Block "B".

N.W.		5th		STREET	
N.W. 9th AVENUE	LOT 48	LOT 1	LOT 48	LOT 1	
	LOT 47	LOT 2	LOT 47	LOT 2	
	LOT 46	LOT 3	LOT 46	LOT 3	
	LOT 45	LOT 4	LOT 45	LOT 4	
	LOT 44	LOT 5	LOT 44	LOT 5	
	LOT 43	LOT 6	LOT 43	LOT 6	
	LOT 42	LOT 7	LOT 42	LOT 7	
	LOT 41	LOT 8	LOT 41	LOT 8	
	LOT 40	LOT 9	LOT 40	LOT 9	
	LOT 39	LOT 10	LOT 39	LOT 10	
N.W. 8th AVENUE	LOT 38	LOT 11	LOT 38	LOT 11	
	LOT 37	LOT 12	LOT 37	LOT 12	
	LOT 36	LOT 13	LOT 36	LOT 13	
	LOT 35	LOT 14	LOT 35	LOT 14	
	LOT 34	LOT 15	LOT 34	LOT 15	
	LOT 33	LOT 16	LOT 33	LOT 16	
	LOT 32	LOT 17	LOT 32	LOT 17	
	LOT 31	LOT 18	LOT 31	LOT 18	
	LOT 30	LOT 19	LOT 30	LOT 19	
	LOT 29	LOT 20	LOT 29	LOT 20	
N.W. 7th AVENUE	LOT 28	LOT 21	LOT 28	LOT 21	
	LOT 27	LOT 22	LOT 27	LOT 22	
	LOT 26	LOT 23	LOT 26	LOT 23	
	LOT 25	LOT 24	LOT 25	LOT 24	
	LOT 24	LOT 25	LOT 24	LOT 25	
	LOT 23	LOT 26	LOT 23	LOT 26	
	LOT 22	LOT 27	LOT 22	LOT 27	
	LOT 21	LOT 28	LOT 21	LOT 28	
	LOT 20	LOT 29	LOT 20	LOT 29	
	LOT 19	LOT 30	LOT 19	LOT 30	

N.W. 4th STREET

Block 1 2 3 4 5 6 7 8 9 10

Lot 10 9 8 7 6 5 4 3 2 1

Lot 19 18 17 16 15 14 13 12 11 10

Lot 21 20 19 18 17 16 15 14 13 12

Lot 22 21 20 19 18 17 16 15 14 13

Lot 23 22 21 20 19 18 17 16 15 14

Lot 24 23 22 21 20 19 18 17 16 15

Lot 25 24 23 22 21 20 19 18 17 16

Lot 26 25 24 23 22 21 20 19 18 17

Lot 27 26 25 24 23 22 21 20 19 18

Lot 28 27 26 25 24 23 22 21 20 19

Lot 29 28 27 26 25 24 23 22 21 20

Lot 30 29 28 27 26 25 24 23 22 21

Lot 31 30 29 28 27 26 25 24 23 22

Lot 32 31 30 29 28 27 26 25 24 23

Lot 33 32 31 30 29 28 27 26 25 24

Lot 34 33 32 31 30 29 28 27 26 25

Lot 35 34 33 32 31 30 29 28 27 26

Lot 36 35 34 33 32 31 30 29 28 27

Lot 37 36 35 34 33 32 31 30 29 28

Lot 38 37 36 35 34 33 32 31 30 29

Lot 39 38 37 36 35 34 33 32 31 30

Lot 40 39 38 37 36 35 34 33 32 31

N.W. 3rd STREET

N.W. 8th AVENUE

THIS SKETCH

BLOCK PLAN
NOT TO SCALE

*Certified Correct. Dated at
Fort Lauderdale, Florida this
27th day of April, 2012.*

- 1) This sketch reflects oil 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 surveyor's seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of said Block "B", as South 00°24'55" West.

Carl E. Albrektsen
CARL E. ALBREKTSSEN
Registered Land Surveyor No. 4185
State of Florida.

DRAWN BY: JMMjr

JOB ORDER NO. U-7300
C: \JMMjr\2012\U7300(PLAT)
REF. DWG: 11-3-027

CHECKED BY: _____