

ORDINANCE NO. C-17-

AN ORDINANCE VACATING ALL OF THE PLATTED 15-FOOT ALLEY IN BLOCK 64-L, "EAST AVENUE SECTION OF CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 57, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTH FEDERAL HIGHWAY, NORTH OF SOUTHEAST 17<sup>th</sup> STREET, EAST OF SOUTHEAST 4<sup>th</sup> AVENUE AND SOUTH OF SOUTHEAST 16<sup>th</sup> COURT, ALL SAID LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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WHEREAS, the applicant, HS 17<sup>th</sup> Street, LLC, applied for the vacation of certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of May 17, 2017 (PZ Case No. V16005), 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, August 22, 2017, and Wednesday, September 6, 2017, 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 City of Fort Lauderdale, Florida 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 and shall no longer constitute a public right-of-way:

See Exhibit "A" attached hereto and made a part hereof.

Location: West of South Federal Highway, north of Southeast 17<sup>th</sup> Street, east of Southeast 4<sup>th</sup> Avenue, and south of Southeast 16<sup>th</sup> Court.

SECTION 2. 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 3. 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 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. 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 6. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. That this Ordinance shall be in full force and effect upon the recordation in the public records of Broward County, Florida, of a certificate executed by the City Engineer evidencing that all conditions listed on Exhibit "B" attached hereto have been met. A copy of the recorded certificate must be provided to the City.

PASSED FIRST READING this the \_\_\_\_ day of \_\_\_\_\_, 2017.  
PASSED SECOND READING this the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI

M.D. O.K.



**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**

**BLOCK 64-L, EAST AVENUE SECTION OF CROISSANT PARK  
PLAT BOOK 7, PAGE 57, BROWARD COUNTY RECORDS  
CITY OF FORT LAUDERDALE, FLORIDA  
SECTION 15, TOWNSHIP 50 SOUTH, RANGE 42 EAST**

A 15-FOOT ALLEY LYING WITHIN BLOCK 64-L, EAST AVENUE SECTION OF CROISSANT PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 57, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID ALLEY BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF S.E. 16TH COURT (PLACIDENA PARKWAY PER PLAT) A 50 FOOT WIDE RIGHT-OF-WAY; ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF S.E. 17TH STREET (OLIVE STREET PER PLAT) A 100 FOOT WIDE RIGHT-OF-WAY; ON THE EAST BY THE WEST LINE OF LOTS 22 THRU 31 OF SAID BLOCK 64-L; AND ON THE WEST BY A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID LOTS LOTS 22 THRU 31.

SAID LANDS SITUATE AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 3,915 SQUARE FEET, MORE OR LESS.

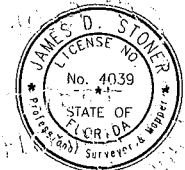
**NOTES:**

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.88°50'16"W, ALONG THE SOUTH LINE OF BLOCK 64-L, AVENUE SECTION OF CROISSANT PARK, RECORDED IN PLAT BOOK 7, PAGE 57, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
6. SEE SHEET 2 OF 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE 15-FOOT ALLEY DESCRIBED HEREON.

DATE: Mar 20, 2017 - 8:39am EST  
FILE: F:\Draw\KIMLEY-HORN\2017\17-8517 SE 17th St\01--Drawing\17-8517-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
1	03/12/17	WDLR
2	03/20/17	JDS

DATE OF SIGNATURE: 3/20/17  
**JAMES D. STONER**  
PROFESSIONAL SURVEYOR AND MAPPER NO. 4039  
STATE OF FLORIDA

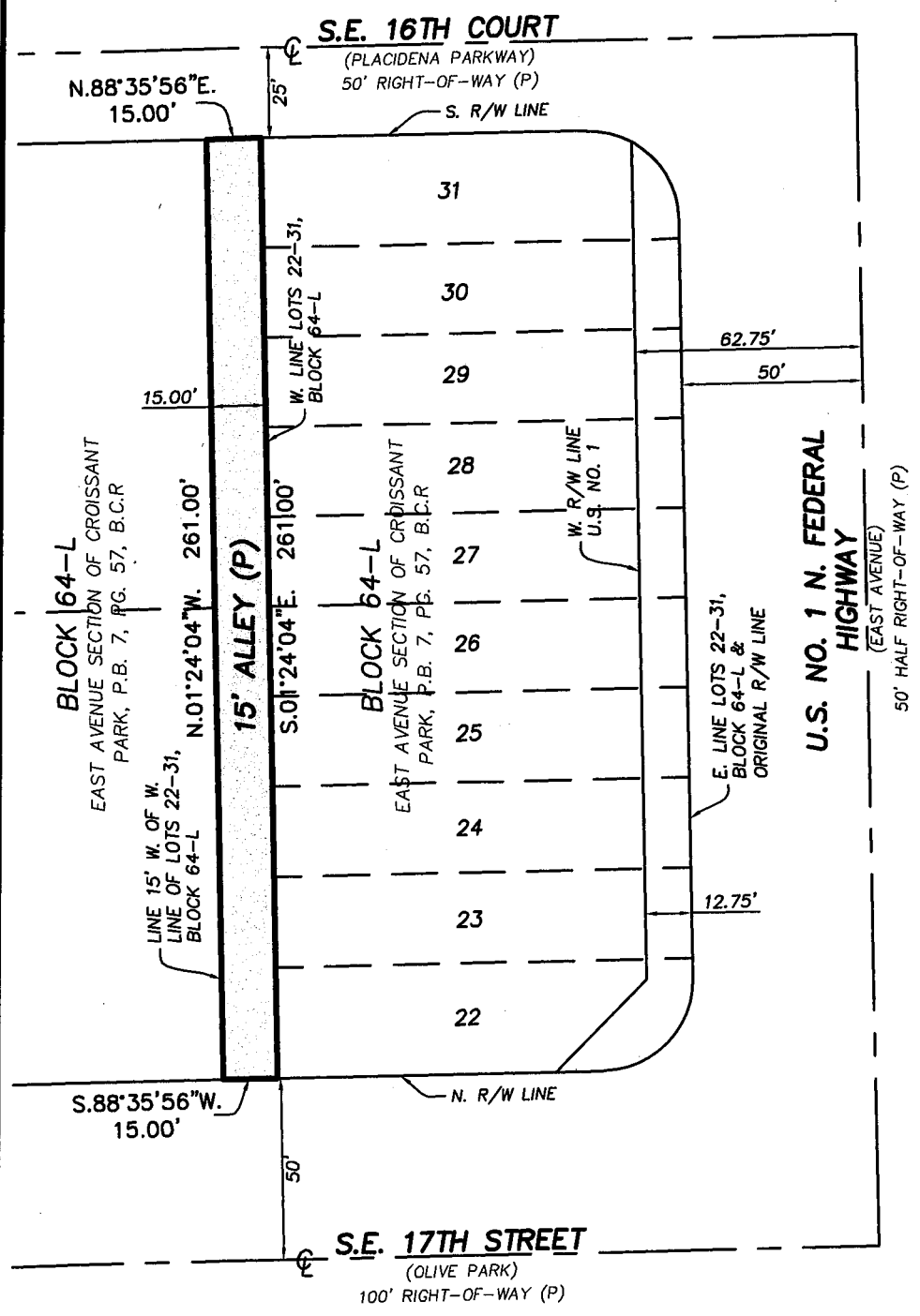
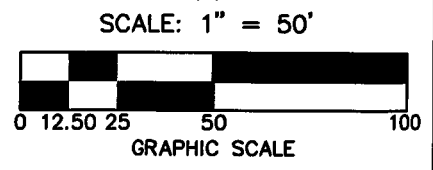
THE MATERIAL SHOWN HEREON IS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC. COPYRIGHT © 2017

DATE OF SKETCH: 03/10/17	DRAWN BY JDS	CHECKED BY WDLR	FIELD BOOK N/A	SHEET 1 OF 2
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SKETCH NO. 17-8517-VAC

M.D. O.K.

**SKETCH OF LEGAL DESCRIPTION**  
**15' WIDE ALLEY VACATION**  
**BLOCK 64-L, EAST AVENUE SECTION OF CROISSANT PARK**  
**PLAT BOOK 7, PAGE 57, BROWARD COUNTY RECORDS**  
**CITY OF FORT LAUDERDALE, FLORIDA**  
**SECTION 15, TOWNSHIP 50 SOUTH, RANGE 42 EAST**



- LEGEND:**
- B.C.R. .... BROWARD COUNTY RECORDS
  - (C) .... DATA BASED ON CALCULATIONS
  - @ .... CENTERLINE
  - LB .... LICENSED BUSINESS
  - O.R.B. .... OFFICIAL RECORDS BOOK
  - (P) .... PER BOOK
  - P.B. .... PLAT BOOK
  - PG. .... PAGE
  - R/W .... RIGHT OF WAY
  - SQ.FT. .... SQUARE FEET

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

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL  
CASE NO. V16005**

1. Any City 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 City's Public Works Department; and
2. Any other 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; and
3. 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 listed in the ordinance have been met. A copy of the recorded certificate must be provided to the City.