

ORDINANCE NO. C-14-11

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL THAT PORTION OF THE RIGHT-OF-WAY IDENTIFIED AS SOUTHWEST 26<sup>TH</sup> AVENUE PLATTED AS SOUTHWEST 24<sup>TH</sup> AVENUE AS SHOWN ON "AMENDED PLAT OF BLOCKS 4, 5, 6, 7 AND 14 OF WOODLAND PARK - UNIT 1" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 30, PAGE 45 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 2<sup>ND</sup> STREET AND SOUTHWEST 2<sup>ND</sup> COURT, IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, GDC Broward RB LLC, Carl T. Waldron, George and Arlene Berger/Riverbend Marketplace, 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 December 18, 2013 (PZ Case No. 27-P-13), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described right-of-way subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, February 4, 2014, and Tuesday, February 18, 2014, 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 right-of-way is hereby vacated, abandoned, and closed and shall no longer constitute a public right-of-way.

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

Location: East of S.W. 27<sup>th</sup> Avenue between S.W. 2<sup>nd</sup> Street  
and S.W. 2<sup>nd</sup> Court

SECTION 2. That the City shall retain a temporary utility easement over the above-described right-of-way until such time as a Certificate is executed by the City Engineer and recorded in the Public Records of Broward County evidencing that all conditions for the termination of the temporary easement listed on Exhibit "B" have been met.

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 upon adoption.

PASSED FIRST READING this the 4th day of February, 2014.

PASSED SECOND READING this the 18th day of February, 2014.

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

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

m. 20  
OK

**LEGAL DESCRIPTION TO ACCOMPANY SKETCH  
PORTION OF THE NORTHEAST 1/4 OF  
SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST  
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

**LEGAL DESCRIPTION:**

ALL OF SOUTHWEST 28TH AVENUE, PLATTED AS SOUTHWEST 24TH AVENUE, (BEING A 50 FOOT PLATTED RIGHT-OF-WAY) AS SHOWN ON AMENDED PLAT OF BLOCKS 4, 5, 6, 7 AND 14, WOODLAND PARK - UNIT 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGE 46 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPTING THEREFROM A PORTION OF SOUTHWEST 28TH AVENUE PREVIOUSLY VACATED AS RECORDED IN OFFICIAL RECORD BOOK 46862, PAGE 994, BROWARD COUNTY, FLORIDA.

CONTAINING 16,500 SQUARE FEET OR 0.37880 ACRES, MORE OR LESS.

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK B. MEEDS, P.S.M.  
FLORIDA LICENSE No. LS - 4728  
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 0705

*Patrick B. Meeds*  
\_\_\_\_\_  
PATRICK B. MEEDS

PROFESSIONAL SURVEYOR AND MAPPER

11/8/13

DATE OF SIGNATURE

**SURVEYOR'S NOTES**

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/1980 ADJUSTMENT), BASED UPON THE CENTERLINE OF S.W. 2ND STREET BEING NORTH 87°47'47" EAST.
2. ALL DISTANCES SHOWN HEREON ARE CALCULATED, UNLESS OTHERWISE NOTED.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION.

DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

**THIS IS NOT A SURVEY**

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CREECH**  
ENGINEERS, INC.

CIVILIZATION ENGINEERED  
7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (772) 283-1413  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6132  
PROFESSIONAL SURVEYORS AND MAPPERS, LICENSED CERTIFICATE NO. LS-006700

**S.W. 28TH AVENUE  
RIGHT-OF-WAY VACATION**

**BROWARD COUNTY**

**FLORIDA**

PROJECT NO. 12018.00

DATE NOV. 01, 2013

ADD FILE 12018 SKY & DESO RW ABAND

SCALE N/A

SHEET 1 OF 2

M.D.  
OK

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

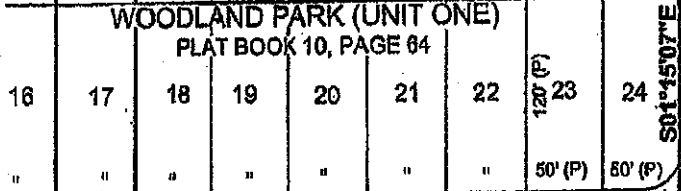
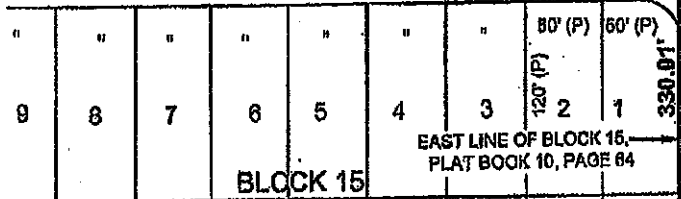
PARCEL A  
AMENDED PLAT OF  
WOODLAND PARK - UNIT 1  
PLAT BOOK 30, PAGE 45

SOUTH LINE OF PARCEL A,  
PLAT BOOK 30, PAGE 45

N87°47'47"E  
50.01'

50' RIGHT-OF-WAY  
ABANDONED IN  
O.R.B. 46862, PG. 994

S.W. 2ND STREET N87°47'47"E (BEARING BASE)  
60' RIGHT-OF-WAY (P.B. 10, PG. 64)



S.W. 2ND COURT 30' RIGHT-OF-WAY (P.B. 10, PG. 64)

N87°47'47"E  
50.01'

PARCEL B  
AMENDED PLAT OF  
WOODLAND PARK - UNIT 1  
PLAT BOOK 30, PAGE 45

WEST LINE OF PARCEL B,  
PLAT BOOK 30, PAGE 45

SOUTH LINE OF PARCEL B,  
PLAT BOOK 30, PAGE 45

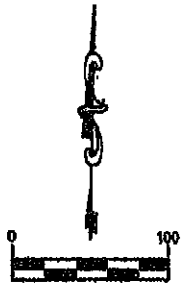
S.W. 26TH AVENUE  
50' RIGHT-OF-WAY (P.B. 10, PG. 64)

S01°15'07"E  
330.01'

UNPLATTED

LEGEND

- (P) PLAT
- INC. INCORPORATED
- LB LICENSED-BUSINESS
- LS LICENSED SURVEYOR
- O.R.B. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- PG. PAGE
- P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
- R RADIUS
- Δ CENTRAL ANGLE
- L ARC LENGTH
- NAD NORTH AMERICAN DATUM



( IN FEET )  
1 inch = 100 ft.  
THIS MAP IS INTENDED  
TO BE DISPLAYED AT A  
SCALE OF 1" = 100'  
OR SMALLER

NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

THIS IS NOT A SURVEY

**CREECH**  
ENGINEERS, INC.

CIVILIZATION ENGINEERS  
7801 S.W. ELLIPSE WAY, STUART, FLORIDA 34987 (772) 283-1413  
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6159  
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. 18-0008703

S.W. 26TH AVENUE  
RIGHT-OF-WAY VACATION

BROWARD COUNTY

FLORIDA

PROJECT NO: 12018.00

DATE: NOV. 01, 2013

ADD FILE: 12018\_SKT & DESD RW ABAND. SCALE: 1" = 100'. SHEET 2 OF 2.

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL  
CASE NO. 27-P-13**

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 as approved by the City Engineer.
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 as approved by the City Engineer.