

Sonia Sierra

From: Robert Dunckel
Sent: Monday, February 12, 2024 9:39 AM
To: Sonia Sierra
Subject: Re: 02.06.24 Agenda / CAM #24-0194 / Partial Release of Unity of Title
Attachments: Partial Release of Declaration of Unity of Title - route.pdf

Yes, Tom may execute.

When fully executed by the proper City officials, please provide me with a copy.

Robert B. Dunckel
Assistant City Attorney
One East Broward Blvd., Suite 1605
Fort Lauderdale, FL 33301
(954) 828-5040 | rdunckel@fortlauderdale.gov



CITY OF FORT LAUDERDALE
CITY ATTORNEY'S OFFICE

AV[®]



Under Florida law, most e-mail messages to or from City of Fort Lauderdale employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the City, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

RBD works for the City Attorney's Office on a part-time basis only. Because of medical issues he is telecommuting from home. If you have difficulty reaching him contact his Paralegal Assistant, Sonia Sierra at SSierra@fortlauderdale.gov or (954) 828-5598. In Sonia's absence please contact Erica Keiper, Sr. Legal Assistant, at EKeiper@fortlauderdale.gov or by phone at (954) 828-6088.

On Feb 12, 2024, at 9:00 AM, Sonia Sierra <SSierra@fortlauderdale.gov> wrote:

Good morning Bob,
I am in the office today and would like to route this for execution. Please provide authorization for Tom to execute as to form so I may route.

Best Regards,

Sonia Sierra

Paralegal

1 East Broward Blvd., Suite 1605

Fort Lauderdale, FL 33301

(954) 828-5598 | ssierra@fortlauderdale.gov

<image004.jpg>

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From: Sonia Sierra

Sent: Thursday, February 8, 2024 11:44 AM

To: Robert Dunckel <RDunckel@fortlauderdale.gov>

Subject: RE: 02.06.24 Agenda / CAM #24-0194 / Partial Release of Unity of Title

Good morning Bob,
Please provide authorization for Tom to execute as to form so I may route on Monday.

Best Regards,

Sonia Sierra

Paralegal

1 East Broward Blvd., Suite 1605

Fort Lauderdale, FL 33301

(954) 828-5598 | ssierra@fortlauderdale.gov

<image004.jpg>

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From: Robert Dunckel <RDunckel@fortlauderdale.gov>

Sent: Sunday, January 28, 2024 8:23 PM

To: Sonia Sierra <[SSierra@fortlauderdale.gov](mailto:ssierra@fortlauderdale.gov)>; Christopher Cooper <Ccooper@fortlauderdale.gov>

Cc: Robert Dunckel <RDunckel@fortlauderdale.gov>

Subject: Re: 02.06.24 Agenda / CAM #24-0194 / Partial Release of Unity of Title

Sonia / Chris

SCW CM-6 [24-0175](#) Motion Approving and Authorizing the Execution of a Revocable License with RELATED FATVILLAGE, LLC, for Temporary Right-of-Way Closures on Sistrunk Boulevard and NW 1st Avenue Associated with the Gallery at Flagler Village Development Located at 600 N Andrews Avenue - (Commission District 2)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

RBD CM-7 [24-0194](#) Motion Approving Partial Release of Declaration of Unity of Title - (Commission District 2)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

PGB CM-8 [24-0075](#) Motion Approving a Municipal Elections Agreement with the Broward County Supervisor of Elections for the November 5, 2024, Regular Municipal Election - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT RESOLUTION

KCM CR-2 [24-0005](#) Resolution Approving a Landscape Maintenance Memorandum of Agreement for State Road 84 (SE 24th Street) with the Florida Department of Transportation for Landscape Improvements within the Right of Way of State Road 84 (SE 24th Street) and an Assumption of Liability and Hold Harmless Agreement with FLL Hospitality LLLP - (Commission District 4)

24-25

ADOPTED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

RBD CR-3 [24-0049](#) Resolution Authorizing the Execution of a Sovereignty Submerged Lands Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida / BOT FILE NO. 060363966 -South New River Canal - (Commission Districts 1, 2, 3 and 4)

24-26

ADOPTED



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0194

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: February 6, 2024

TITLE: Motion Approving Partial Release of Declaration of Unity of Title –
(Commission District 2)

Recommendation

Staff recommends the City Commission consider a motion approving and authorizing the execution of a partial release of a Declaration of Unity of Title.

Background

The Preste Corporation, a Florida corporation executed a Unity of Title recorded on April 22, 1994 in Official Records 22041, Page 129, of the Public Records of Broward County, Florida, for the purpose of considering the property as one plot and parcel of land. The property, 2985 N. Ocean Boulevard, is the site of a Publix Supermarket approved on November 17, 2020 (PLN-SITE-1911004). As a condition of site plan approval, the developer is required to provide the State of Florida Department of Transportation (FDOT) fee simple title to a portion of the property for right of way purposes. In order for FDOT to get “clear title” to the land encumbered by the Unity of Title, FDOT is requiring that the City execute and deliver to FDOT a partial release of Declaration of Unity of Title.

Resource Impact

There is no fiscal impact to the City associated with this action.

Strategic Connections

This item is a *2024 Commission* Priority, Economic Development initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community
- Objective: Improve roads, sidewalks, and trails to prioritize a safer, more walkable and bikeable community

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Connected.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan, specifically advancing:

- The Infrastructure Focus Area
- The Transportation & Mobility Element
- Goal 1: Ensure the equitable development of a Complete Network for transportation that prioritizes Safety and emphasizes multimodal mobility and accessibility

Attachments

Exhibit 1 – Location Map


Exhibit 2 – Partial Release of Declaration of Unity of Title

Exhibit 3 – Publix FTL – Preste Unity of Title April 22, 1994

Prepared by: Christopher Cooper, AICP, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department

This instrument prepared under the ^{DS} direction of:

Elizabeth S. Quintana, Esq. 

District Four Assistant General Counsel

Legal Description prepared by:

James D. Stoner, P.S.M. (09-26-2023)

Stoner Surveyors & Mappers

Document prepared by:

Diana Helmer (12-12-2023)

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Fort Lauderdale, Florida 33309

Parcel No.	223.3
Item/Segment No.	4413231
Section:	86050-2505
Managing District:	04
S.R. No.	A-1-A (Ocean Blvd.)
County:	Broward

**PARTIAL RELEASE OF
DECLARATION OF UNITY OF TITLE**

This PARTIAL RELEASE OF DECLARATION OF UNITY OF TITLE (“Release”) is made this _____ day of _____, 20____, by the **CITY OF FORT LAUDERDALE, FLORIDA** (“City”).

WITNESSETH:

WHEREAS, **PUBLIX SUPER MARKETS, INC., a Florida corporation** is the record owner of that real property located in the **City of Fort Lauderdale**, in **Broward County**, Florida, more particularly described as follow: (the “Property”);

(More particularly described in the sketch and legal description attached hereto as Exhibit “A”)

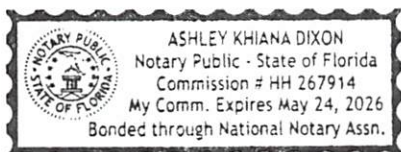
WHEREAS, **PRESTE CORPORATION, a Florida corporation** executed a Unity of Title, recorded on **04-22-1994** in Official Records **22041**, Page **129**, of the Public Records of **Broward County**, Florida (the “Declaration”), for the purpose of considering the property as one plot and parcel of land therein described; and

WHEREAS, the State of Florida Department of Transportation is acquiring **fee simple title to the property for right of way purposes** and requires the release of the Property from the Declaration; and

WHEREAS, the provisions of the Declaration require that a release of the Declaration shall be executed by the City Council, or their respective designees or successors.

NOW, THEREFORE, in consideration of the foregoing, the City agrees that all benefits, burdens, rights and obligations arising out of the Declaration as to the Property are hereby released and extinguished forever, and that the Property is hereby released from the Declaration, effective as of the date of this Partial Release, with the understanding that this Partial Release shall not affect any rights as to the remainder of the real property described in the Declaration.

IN WITNESS WHEREOF, the City has caused these presents to be executed in its name by its Director of Community Development, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.



CITY OF FORT LAUDERDALE,
FLORIDA

Dean J. Trantalis
Print Name: Dean J. Trantalis
Title: Mayor

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me by means of x physical presence or _____ online notarization, this 15th day of February, 20 24, by Dean J. Trantalis, Mayor of the City of Fort Lauderdale, who is personally known to me or who has produced _____ as identification.

(SEAL)

Ashley K. Dixon
Notary Public

Ashley K. Dixon
Printed or stamped name of Notary Public

My Commission Expires: 5/24/26

Approved as to form and correctness:
Thomas J. Ansbro, City Attorney

Thomas J. Ansbro

ATTEST: *DRS*

Print Name: David R. Soloman
Its City Clerk



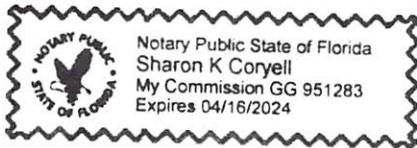
[Signature]

Print Name: Greg Chavarria
Title: City Manager

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 14th day of FEBRUARY, 2024 by
Greg Chavarria, City Manager, who is personally known to me or who has produced [Signature]
[Signature] as identification.

(SEAL)



Sharon K Coryell
Notary Public

SHARON K CORYELL
Printed or stamped name of Notary Public

My Commission Expires: 4.16.2024



[Handwritten signature]

City Manager

[Handwritten signature]

City Clerk

[Handwritten signature]

City Clerk

The following information is being provided to you for your information and is not intended to constitute an offer of insurance. It is provided for your information only and is not intended to constitute an offer of insurance. It is provided for your information only and is not intended to constitute an offer of insurance.

[Handwritten signature]

Notary Public

[Handwritten signature]

Notary Public

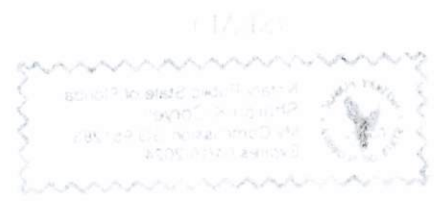



EXHIBIT "A"



STONER

SURVEYORS • MAPPERS

Licensed Business No. 6633

4341 S.W. 62nd Avenue
Davie, Florida 33314

TEL (954) 585-0997
www.stonersurveyors.com

**LEGAL DESCRIPTION OF:
RIGHT-OF-WAY DEDICATION
OCEAN BOULEVARD (STATE ROAD A-1-A)
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 90, 91 AND 92, BLOCK 1, LAUDERDALE BEACH, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 90;

THENCE ON AN ASSUMED BEARING OF N 08° 17' 27" E, ALONG THE EAST LINE OF SAID LOTS 90, 91 AND 92, SAID EAST LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF OCEAN BOULEVARD (STATE ROAD A-1-A, RIGHT OF WAY MAP NUMBER 86050-2505, SHEET 7), A DISTANCE OF 133.94 FEET TO THE TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST;

THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 92° 32' 03" AND A RADIUS OF 25.00 FEET FOR AN ARC DISTANCE OF 46.29 FEET, TO A POINT OF TANGENCY, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF SAID LOT 92;

THENCE N 84° 02' 33" W, ALONG THE SAID NORTH LINE, A DISTANCE OF 4.80 FEET;

THENCE S 37° 52' 33" E, A DISTANCE OF 28.85 FEET, TO A POINT ON A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE SAID EAST LINE OF LOTS 90, 91 AND 92;

THENCE S 08° 17' 27" W, ALONG SAID PARALLEL LINE A DISTANCE OF 129.17 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 92;


THENCE S 84° 02' 33" E, ALONG SAID SOUTH LINE A DISTANCE OF 18.01 FEET, TO THE POINT OF BEGINNING.

SAID LANDS SITUATE AND BEING WITHIN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA AND CONTAINING 0.038 ACRES (1,589 SQUARE FEET), MORE OR LESS.

NOTES:

- THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THE BEARINGS SHOWN HEREON ARE BASED ON ASSUMED BEARING OF N 08° 17' 27" E, ALONG THE EAST LINE OF LOTS 90-92, BLOCK 1, LAUDERDALE BEACH, RECORDED IN PLAT BOOK 4, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
- THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY (THIS IS NOT A SURVEY).
- THIS LEGAL DESCRIPTION WAS PREPARED BY STONER & ASSOCIATES, INC. AND IS SUBJECT TO THE PROPERTY INFORMATION REPORT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 10980400, AND EFFECTIVE THROUGH AUGUST 25, 2023 AT 11:00PM.
- NO EASEMENTS WERE FOUND BASED ON THE PLAT OF RECORD, OR THE PROPERTY INFORMATION REPORT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 10980400 AFFECTING THE DONATION PARCEL (IF APPLICABLE).
- SEE SHEET 2 OF 2 FOR A GRAPHIC DEPICTION (SKETCH) OF THE PROPERTY DESCRIBED HEREON.

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 62-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 473.007, FLORIDA STATUTES.			
DATE OF SIGNATURE: 9/26/23			
JAMES D. STONER			
PROFESSIONAL SURVEYOR AND MAPPER NO. 4539 -- STATE OF FLORIDA			
DATE OF PLOTTING:	DRAWN BY:	CHECKED BY:	FIELD BOOK:
2/08/23	JDS	JDS	N/A
THE MAPPING SKETCH REPRESENTS THE PROPERTY OF STONER & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT PERMISSION OF STONER & ASSOCIATES, INC. COPYRIGHT © 2023.			SHEET 1 OF 2



SECTION NO. 22-4691-R/W



STONER

SURVEYORS • MAPPERS

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Davie, Florida 33314

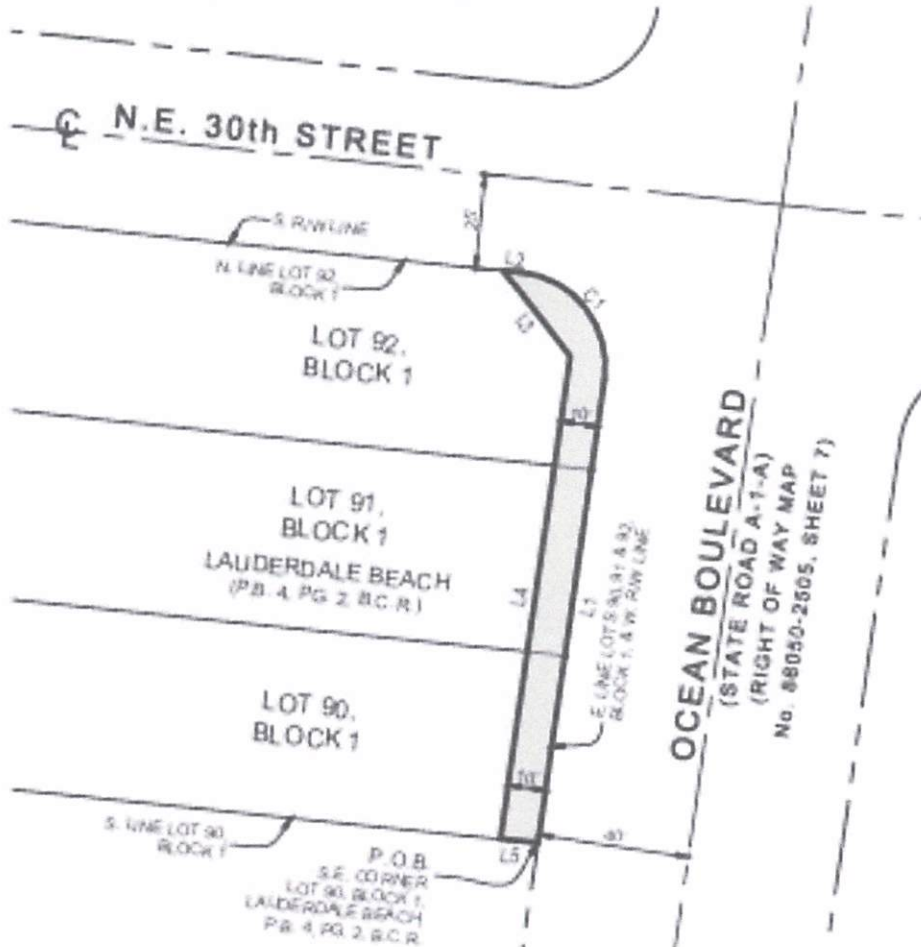
Licensed Business No. 6633

TEL (954) 585-0997
www.stonersurveyors.com

**SKETCH OF LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
OCEAN BOULEVARD (STATE ROAD A-1-A)
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA**



SCALE: 1" = 40'



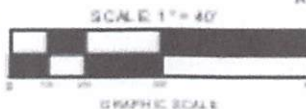
CURVE TABLE			
CURVE	CENTRAL ANGLE	RADIUS	ARC DISTANCE
C1	92° 20' 00"	25.00'	40.29'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 08° 17' 27" E	123.96'
L2	N 84° 02' 33" W	4.80'
L3	S 37° 52' 33" E	26.85'
L4	S 08° 17' 27" W	129.17'
L5	S 84° 02' 33" E	10.01'

LEGEND:

- B.C.R. BROWARD COUNTY RECORDS
- P.B. PLAT BOOK
- P.G. PAGE
- P.L.S. PROFESSIONAL LAND SURVEYOR
- L.B. LICENSED BUSINESS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- L1 LINE NUMBER
- C1 CURVE NUMBER
- RAD1 RADIAL LINE NUMBER

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



SHEET 2 OF 2

SKETCH NO. 22-9-431, R/W



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

11

Today's Date: 2/12/24

DOCUMENT TITLE: Publix – Partial release of Declaration of Unity of Title

COMM. MTG. DATE: 2/6/2024 CAM #: 24-0194 ITEM #: CM-7 CAM attached: YES NO

Routing Origin: CAO Router Name/Ext: Sonia/ x-5598 Action Summary attached YES NO

CIP FUNDED: YES NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: CAO Router Name/Ext: Sonia/ x-5598 # of originals routed: 1 Date to CAO: _____

2) City Attorney's Office: Documents to be signed/routed? YES NO # of originals attached: 1

Is attached Granicus document Final? YES NO Approved as to Form: YES NO

Date to CCO: 2/13/24 Thomas J. Ansbro _____
Attorney's Name Initials

3) City Clerk's Office: # of originals: 1 Routed to: Donna V./Amber Cabrera./CMO Date: 02/13/24

4) City Manager's Office: CMO LOG #: Feb 40 Document received from: _____

GREG CHAVARRIA ANTHONY FAJARDO SUSAN GRANT
GREG CHAVARRIA

APPROVED FOR GREG CHAVARRIA'S SIGNATURE N/A FOR GREG CHAVARRIA TO SIGN

PER ACM: A.FAJARDO _____ (Initial/Date) PER ACM: S. GRANT _____ (Initial/Date)

PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward _____ originals to Mayor CCO Date: 2/14/24

5) Mayor/CRA Chairman: Please sign as indicated. Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk: Scan original and forwards 1 originals to: Sonia Sierra x- 5598 – CAO

Attach _____ certified Reso # _____ YES NO

Original Route form to Sonia ext. 5598
Rev. 9/9/2020