

RESOLUTION NO. 17-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL THAT CERTAIN UTILITY EASEMENT WITHIN PARCEL B, "MERCURY PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 154, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTH ANDREWS AVENUE, NORTH OF SOUTHWEST 5TH STREET, EAST OF SOUTHWEST 1ST AVENUE AND SOUTH OF SOUTH NEW RIVER DRIVE, ALL SAID LANDS BEING LOCATED 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"), SWFLB, LLC, is applying for the vacation of a 2,113 square foot utility easement (PZ Case No. E17001) more fully described in Section 1, below associated with the development known as 488 Residences at 790 E. Broward; 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 Department of Sustainable Development 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. That the below described easement is hereby vacated and shall no longer constitute an easement for utilities:

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

Location: West of South Andrews Avenue, north of Southwest 5th Street, east of Southwest 1st Avenue, and south of South New River Drive.

SECTION 2. That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions.


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 Work Works Department.

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.

SECTION 3. 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 4. 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. All other applicable state or federal permits must be obtained before commencement of the development.

ADOPTED this the 11th day of July, 2017.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI



McLAUGHLIN ENGINEERING COMPANY
LB#285

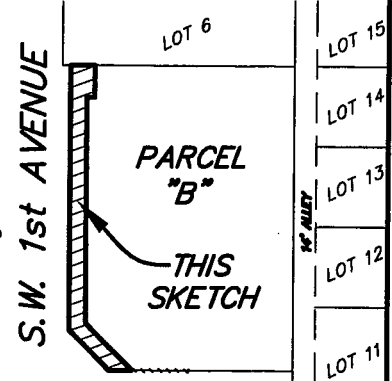
ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE (954) 763-7611 * FAX (954) 763-7615

M. D. O.K.

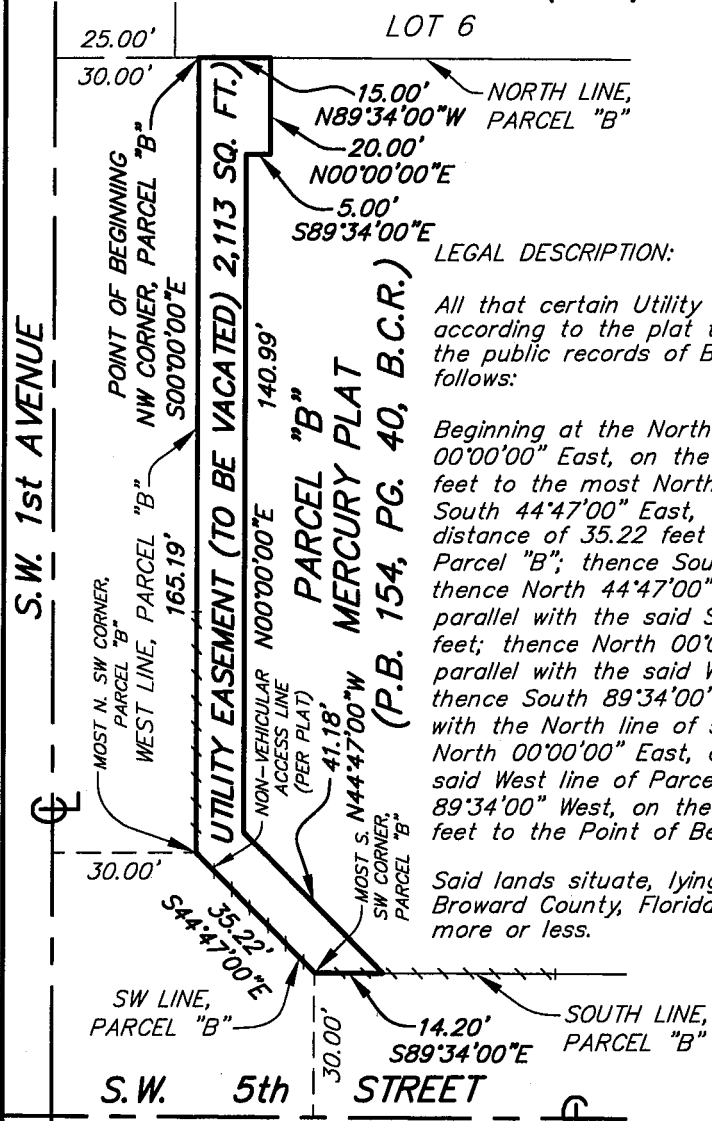
SCALE 1" = 40'

EXHIBIT "A"

**SKETCH AND DESCRIPTION
 TO ACCOMPANY VACATION PETITION
 A PORTION OF PARCEL "B"
 MERCURY PLAT (154/40 B.C.R.)**



**S.W. 5th STREET
 SITE LAYOUT
 NOT TO SCALE**



LEGAL DESCRIPTION:

All that certain Utility Easement within Parcel "B", MERCURY PLAT, according to the plat thereof as recorded in Plat Book 154, Page 40, of the public records of Broward County, Florida, more fully described as follows:

Beginning at the Northwest corner of said Parcel "B"; thence South 00°00'00" East, on the West line of said Parcel "B", a distance of 165.19 feet to the most North, Southwest corner of said Parcel "B"; thence South 44°47'00" East, on the Southwest line of said Parcel "B", a distance of 35.22 feet to the most South, Southwest corner of said Parcel "B"; thence South 89°34'00" East, a distance of 14.20 feet; thence North 44°47'00" West, on a line 10.00 feet Northeast of and parallel with the said Southwest line of Parcel "B", a distance of 41.18 feet; thence North 00°00'00" East, on a line 10.00 feet East of and parallel with the said West line of Parcel "B", a distance of 140.99 feet; thence South 89°34'00" East, on a line 20.00 feet South of and parallel with the North line of said Parcel "B", a distance of 5.00 feet; thence North 00°00'00" East, on a line 15.00 feet East of and parallel with the said West line of Parcel "B", a distance of 20.00 feet; thence North 89°34'00" West, on the North line of said Parcel "B", a distance of 15.00 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 2,113 square feet or 0.0485 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 5th day of March, 2017.

McLAUGHLIN ENGINEERING COMPANY

 JAMES M. McLAUGHLIN JR.
 Registered Land Surveyor No. 4497
 State of Florida.

NOTES:

- 1) This sketch reflects all 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 surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of Parcel "B", as South 00°00'00" East.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-1964

CHECKED BY: _____

REF. DWG.: 05-3-005

C: \JMMjr\2016\V1964(SKETCH