

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 10.00 FOOT DRAINAGE EASEMENT BEING THE NORTHEASTERLY 5.00 FEET OF LOT 2 AND THE SOUTHWESTERLY 5.00 FEET OF LOT 3, "ISLA BAHIA" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 47, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF SOUTHEAST 17<sup>TH</sup> STREET, SOUTHEASTERLY OF ISLA BAHIA DRIVE AND SOUTH OF THE NEW RIVER, ALL SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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WHEREAS, under the provisions of Section 47-24.7 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR"), Stacy L. Rosenbach, Trustee of the Stacy L. Rosenbach Revocable Trust, is applying for the vacation of a 10-foot wide drainage easement (Case No. UDP-EV22001) more fully described in SECTION 2 below, located at 64 Isla Bahia Drive, Fort Lauderdale, Florida; 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 Development Services Department 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. The City Commission finds that the application for vacation of easement meets the criteria of Section 47-24.7 of the ULDR as enunciated and memorialized in the minutes of its meeting of September 6, 2022, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 2. That the below described easement is hereby vacated and shall no longer constitute an easement for drainage, subject to the conditions provided in SECTION 3 of this resolution:

A 10.00 FOOT DRAINAGE EASEMENT BEING THE NORTHEASTERLY 5.00 FEET OF LOT 2 AND THE SOUTHWESTERLY 5.00 FEET OF LOT 3, "ISLA BAHIA" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 47, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: North of Southeast 17<sup>th</sup> Street, southeasterly of Isla Bahia Drive and south of the New River

SECTION 3. 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 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.
3. Applicant shall grant a new ten (10) foot drainage easement centered on the relocated infrastructure as approved by the City Engineer. No trees, fences, other utilities, or structures shall remain or be installed over the granted easement.

SECTION 4. 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 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.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_\_

Heather Moraitis \_\_\_\_\_

Steven Glassman \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney  
ALAIN E. BOILEAU

Robert L. McKinzie \_\_\_\_\_

Ben Sorensen \_\_\_\_\_



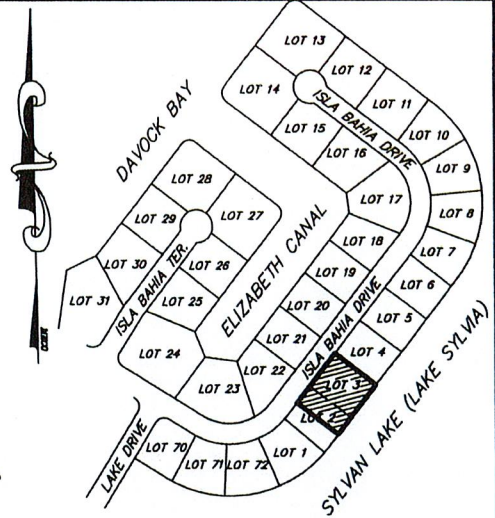
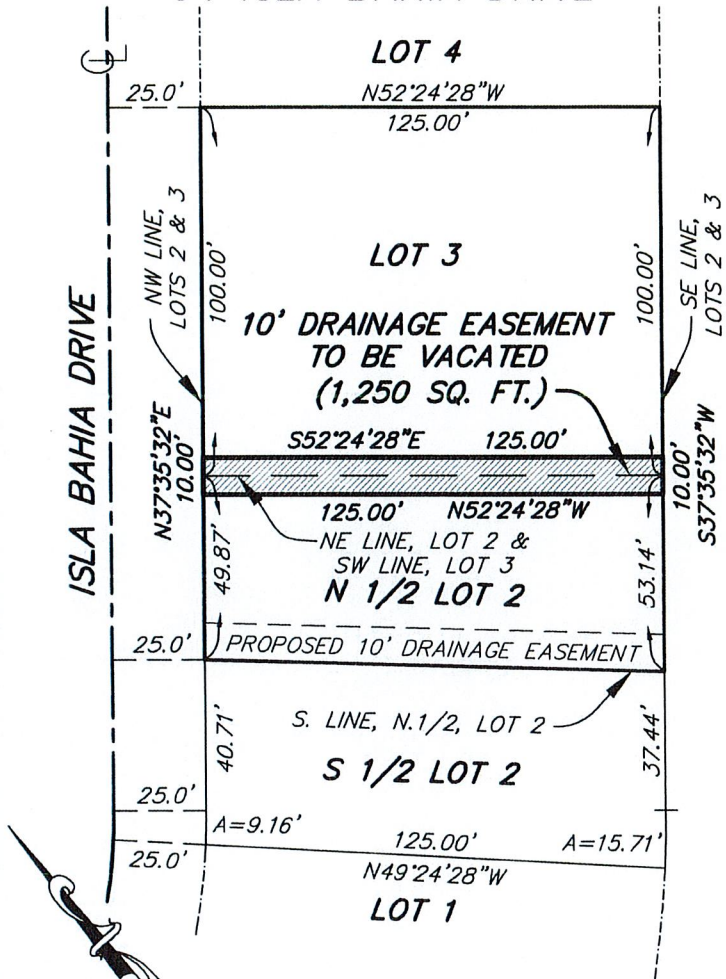
**McLAUGHLIN ENGINEERING COMPANY**  
**LB#285**

ENGINEERING \* SURVEYING \* PLATTING \* LAND PLANNING  
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309  
 PHONE (954) 763-7611 \* EMAIL: INFO@MECO400.COM

M.D.O.K.

SCALE 1" = 50'

**SKETCH AND DESCRIPTION  
 TO ACCOMPANY VACATION PETITION  
 10' DRAINAGE EASEMENT  
 64 ISLA BAHIA DRIVE**



**SITE LAYOUT  
 NOT TO SCALE**

**LEGAL DESCRIPTION:**

The Northeasterly 5.00 feet of Lot 2 and the Southwesterly 5.00 feet of Lot 3, ISLA BAHIA, according to the plat thereof, as recorded in Plat Book 47, Page 27, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 1,250 square feet or 0.0287 acres more or less.

**CERTIFICATION**

Certified Correct. Dated at Fort Lauderdale, Florida this 11th day of March, 2022.

McLAUGHLIN ENGINEERING COMPANY

*[Signature]*  
 JERALD A. McLAUGHLIN  
 Registered Land Surveyor No. 5269  
 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 appropriate surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the Northwest line of Lots 2 and 3, as North 37°35'32" East.

FIELD BOOK NO. \_\_\_\_\_

DRAWN BY: JMMjr

JOB ORDER NO. V-6893

CHECKED BY: \_\_\_\_\_

REF. DWG.: 22-2-003

C: \JMMjr\2022\V6893(EASE)