

RESOLUTION NO. 24-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE WEST 5.00 FEET OF A 15.00 FOOT DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5251, PAGE 492 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BEING THE WEST 5.00 FEET OF THE EAST 25.00 FEET OF LOT 2, BLOCK 2, "GOULD ISLAND", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 62, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF THE INTRACOASTAL WATERWAY, NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 23<sup>RD</sup> AVENUE AND SOUTH OF CASTILLA ISLE, ALL SAID LANDS BEING 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"), Joanne Low is applying for the vacation of 5.00 feet of a 15.00-foot drainage easement recorded in Official Records Book 5251, Page 492 of the Public Records of Broward County, Florida (PZB Case No. UDP-EV22007) more fully described in SECTION 2 below, located west of the Intracoastal Waterway, north of East Las Olas Boulevard, east of Southeast 23<sup>rd</sup> Avenue and south of Castilla Isle, 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 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 February 6, 2024.

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

THE WEST 5.00 FEET OF A 15.00 FOOT DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5251, PAGE 492 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BEING THE WEST 5.00 FEET OF THE EAST 25.00 FEET OF LOT 2, BLOCK 2, "GOULD ISLAND", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 62, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

More particularly described in Exhibit "A" attached.

Location: West of the Intracoastal Waterway, north of East Las Olas Boulevard, east of Southeast 23<sup>rd</sup> Avenue and south of Castilla Isle

**SECTION 3.** That the vacation of the easement shall not be effective until the applicant demonstrates compliance with the following conditions:

1. Any utilities unknown found to be within the easement shall be relocated pursuant to a relocation plan at the expense of the Applicant, and an easement in a different location shall be provided by the owner to the satisfaction of the city. The relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.
2. At the applicant's cost, a new outfall pipe shall be permitted and constructed to meet the relocation plan's intent and the City's Public Works Department requirements as specified in the No Objection Letter dated January 11, 2024.
3. This resolution 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. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

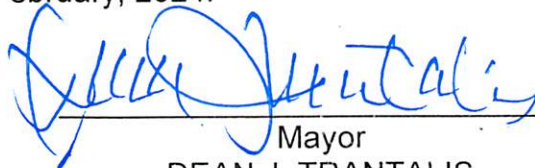
SECTION 4. That a copy of this Resolution shall be recorded in the Public Records of Broward County within 30 days from the date of final passage.

SECTION 5. That the approval of the vacation of the easement shall expire in 24 months from the date of final passage of this resolution if the certificate required in Section 3, paragraph 2 of this resolution has not been recorded in the public records of Broward County, Florida.


SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.


ADOPTED this 6<sup>th</sup> day of February, 2024.

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

ATTEST:

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

APPROVED AS TO FORM  
AND CORRECTNESS:

  
\_\_\_\_\_  
City Attorney  
THOMAS J. ANSBRO

Dean J. Trantalis	<u>Yea</u>
John C. Herbst	<u>Yea</u>
Steven Glassman	<u>Yea</u>
Pamela Beasley-Pittman	<u>Yea</u>
Warren Sturman	<u>Yea</u>

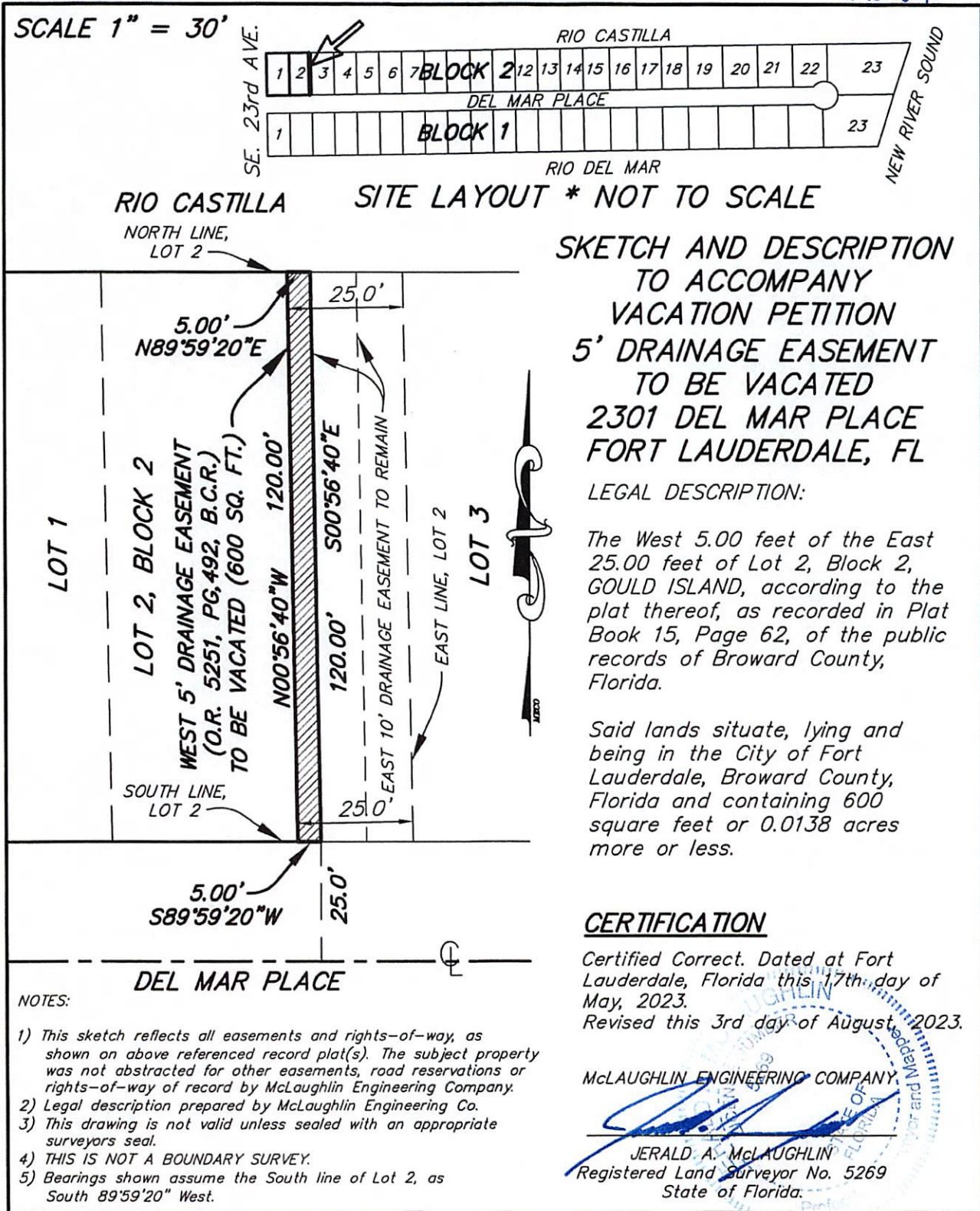


**McLAUGHLIN ENGINEERING COMPANY**  
**LB#285**

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" = 30'



**SKETCH AND DESCRIPTION  
 TO ACCOMPANY  
 VACATION PETITION  
 5' DRAINAGE EASEMENT  
 TO BE VACATED  
 2301 DEL MAR PLACE  
 FORT LAUDERDALE, FL**

**LEGAL DESCRIPTION:**

The West 5.00 feet of the East 25.00 feet of Lot 2, Block 2, GOULD ISLAND, according to the plat thereof, as recorded in Plat Book 15, Page 62, 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 600 square feet or 0.0138 acres more or less.

**CERTIFICATION**

Certified Correct. Dated at Fort Lauderdale, Florida this 17th day of May, 2023.  
 Revised this 3rd day of August, 2023.

McLAUGHLIN ENGINEERING COMPANY  
 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 South line of Lot 2, as South 89°59'20" West.

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

DRAWN BY: JMMjr \_\_\_\_\_

JOB ORDER NO. V-7345 \_\_\_\_\_

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

REF. DWG.: 22-2-006

C: \JMMjr\2022\V7345 (EASE)